

MONTANA

the magazine of western history



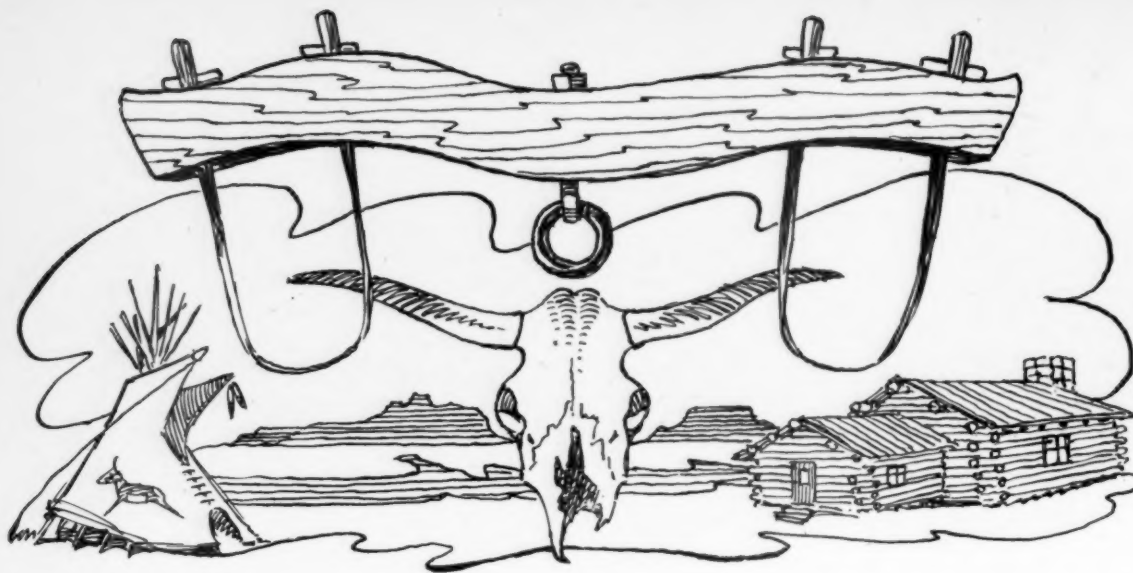
INSIDE THE LODGE, a 19th century water color by Charles M. Russell.

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- Vigilantes
- Cattle King
- The Metis
- Blackfeet Medicine Lodge Ceremonies



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THE COVER SUBJECT. Although this early Charles M. Russell watercolor bears the title *In The Lodge*, this probably is not the authentic title. Undated, the style of signature indicates that it was painted after Russell's sojourn with the Blood Indians (1888) and prior to his marriage (in 1896) when his full-time career as an artist-illustrator started. The subject not only shows a keen knowledge of Indian life, but the calm, pleasant domesticity of the proud mother and her son emphasizes again that C.M.R. was not the blood-and-thunder action painter that popular myth has led many people to believe. This shows real technique for an untutored, often wild, itinerant cowboy—which Russell was at this stage of his life. It stands well on its own merits as an able water color.



A Little Gift

For

Last Bull

A tribute to that beloved westerner, Stanley Vestal

By Maurice Frink

THROUGH the long shadows of an August evening, we were rolling across the Tongue River Indian Reservation. Behind us the sun, round and red, took one more look over the great plains of Montana before bedding down for the night, back of the Wolf Mountains. Ahead lay the Agency, historic old Lame Deer.

That part of Montana may be for some a barren land, but among those who love it are the Northern Cheyennes, who in 1879 fought a bitter war for the right to live there.

Two other lovers of that land were with me in the car—Casey Barthelmess and Stanley Vestal—good men to cross a river with, as oldtime cowmen said of their strongest and best.

Casey, born at old Fort Keogh, is a rancher on the Mizpah, Custer County, Montana. His father, a frontier photographer and army musician, named him after the army lieutenant who commanded the Cheyenne Scouts and was killed in the Ghost Dance trouble at Pine Ridge, S. D., in 1890. Casey in his youth was a bronco buster. His tussle with Skyrocket at Miles City in 1919 was "one of the greatest rides

ever made," in the words of Neckyoke Jones, of Sheridan, Wyo., who should know. Old Montana is in Casey's blood and bones.

Stanley Vestal (W. S. Campbell),¹ native of Kansas, Rhodes scholar, artillery officer in France in World War I, for many years teacher of professional writing at the University of Oklahoma, traveled all parts of the West in researching his twenty-four published books on western history, but loved Montana best. He was seventy years old, and still taking notes on things to write about, when he made this trip with Casey and me—a trip which, though we didn't know it then, was to be his last journey to Montana, save one. He died four months later, and on a wintry day of January 1958 was brought to Custer Battlefield National Cemetery, Crow Agency, Montana, to wait there through the Long Rest with others of his kind.

Stanley had told me, at the start of our trip, that he had a bad heart, arthritis and diabetes, and added "In my wallet are the names of those to be notified if anything happens to me." Through the next ten days he ignored his ailments, and when we left the car to go on foot to some

The author is widely known in western circles as the energetic executive director of the State Historical Society of Colorado at Denver. One of his major recent contributions was co-authorship of the able livestock history of the Wyoming Stockgrowers, *When Grass Was King*.

Last Bull and Stanley Vestal, on the Tongue River Reservation, opposite page.

Last Bull holds aloft his rawhide Sundance rope as Casey Barthelmess, left, and Stanley Vestal listen to his story.



historic spot he usually led the way, whether it went downhill or up. He climbed all over Crow Rock, that stony isle rising from a sagebrush sea near Big Sheep Mountain. He had heard from the lips of old Sioux warriors the story of Sitting Bull's fight there with a band of Crows, and had graphically described the battle in his book on *Sitting Bull*. But he had never seen Crow Rock itself until I took him there.

He was a man of much knowledge and experience, wide interests, and great thoughtfulness for others. He bought countless gifts along the way to send to friends and relatives. Nearly everything he saw reminded him of a story he had heard from some old Indian, or something he had written about or read. An Indian hitchhiker, who asked us for a ride before he knew which way we were going, recalled to Stanley lines from a poem by Edna Millay,² and he illumined a discus-

sion of Indian courtship with an allusion to Housman's *Shropshire Lad*³ spurned by a loved one till he proved himself in war. The revised edition of his *Sitting Bull: Champion of the Sioux* had come out early in 1957, and the new chapter therein, ascribing to White Bull the actual killing of General Custer in a hand-to-hand fight, had attracted nationwide attention, including a summarization on the news wires of The Associated Press. Vestal was pleased at this, but he spoke with even more feeling when he told of the struggles of his early years, as for example when his family was young and his home was small, leaving him little privacy for writing. During those days, he told me, he used to load his typewriter in his car and drive out into the country, writing in the car parked at some secluded spot beside the road.

The name the Sioux gave Stanley Vestal was Ki-yu-kan-pi. It had been borne by *Sitting Bull's* brother-in-law. Usually interpreted as Makes-Room, its literal meaning is Make Room for Him, He Is Welcome. Anyone who knew Stanley Vestal knows how well the name fitted.

¹ Campbell was his stepfather's name; for his pen name he chose Vestal, the name of his own father. His books include: *Kit Carson* (Boston, 1928); *Sitting Bull: Champion of the Sioux* (Boston, 1932; Norman: University of Oklahoma Press, 1957); *Warpath* (Boston, 1933); *New Sources of Indian History* (Norman, 1934); *Mountain Men* (Boston, 1937); *The Old Santa Fe Trail* (Boston, 1939); *Short Grass Country* (New York, 1941); *The Missouri* (New York, 1945); *Jim Bridger* (New York, 1946); *Warpath and Council Fire* (New York, 1948); *Queen of Cowtowns: Dodge City* (New York, 1952); *The Book Lover's Southwest* (Norman, 1955) and many others.

² Third stanza, "Travel," in *Poems by Edna St. Vincent Millay* (London: Martin Secker, 1923):

My heart is warm with the friends I make,
And better friends I'll not be knowing,
Yet there isn't a train I wouldn't take,
No matter where it's going.



Framework of a Cheyenne sweatbath lodge, which the group studied on the Tongue River Reservation.

Opposite page: Fire Wolf, center and his wife and grandson, converse with Casey Barthelless (wearing hat) and Stanley Vestal, concerning the Sacred Arrows.

So there we were, three good companions rolling across the Tongue River Reservation on an August evening, with the setting sun, round and red as a Cheyenne war shield, casting on the plains long shadows of the telegraph poles and fence posts. We crossed the Rosebud, rounded a curve and approached a store and a house, the first habitation we had seen for many miles.

"Busby," said Casey. "Fire Wolf lives near here. What say we stop and give him Howdy?"

I wheeled off the pavement onto an old wagon road and in a few minutes pulled up in front of one of a cluster of log huts, shade arbors and sweat-bath lodges, each with a little altar made of a mound of earth topped with a buffalo skull painted red. This was the home of Fire Wolf, one of the few old warriors still on their feet. It was a hot evening, and Fire Wolf was naked to the waist, and bare footed. His thinning black hair hung in two braids on his hairless chest.



The Cheyennes know Casey of old—they knew and liked his father before him—and he soon had Fire Wolf chatting amiably, on the state of his health, the drought, the supper whose odors came pleasantly through the cabin door.

Here, it suddenly occurred to me, we might be able to find the answer to a question. Early in our journey, Stanley had expressed special interest in the fact that our route lay through the Tongue River Reservation because perhaps at *Lame Deer* we could find out who was now the Keeper of the Sacred Arrows.

These four arrows, holy of holies to the Cheyennes, were for many generations in the custody of the Southern Cheyennes, in Oklahoma. Two or three years ago, they somehow found their way into the hands of the Northern Cheyennes. (The tribe split more than a hundred years ago, at the time of the building, in what is now Colorado, of Bent's Fort on the Arkansas; the advantages of living near that center of frontier commerce luring some of the Cheyennes into making the southern plains their permanent abode).

How the Sacred Arrows got into the hands of Montana's Northern Cheyennes, even Stanley Vestal didn't know. None of

¹ Poem XXXIV, "The New Mistress," in *A Shropshire Lad*, by A. E. Housman (New York: John Lane Company, 1917). Stanley recited from memory, the beginning of the poem—

'Oh, sick I am to see you, will you never let me be?

You may be good for something, but you are not good for me'—

and the ending:

'I will go where I am wanted, where there's room for one or two,

And the men are none too many for the work there is to do;

Where the standing line wears thinner and the dropping dead lie thick;

And the enemies of England they shall see me and be sick.'

Stanley Vestal, the author, and Don Rickey of the Custer Battlefield staff, stand behind the grave of Casey's father at the Custer Battlefield National Cemetery.



the Oklahoma tribesmen could or would explain. They didn't even know, or wouldn't tell, who the new Keeper was. It was a wild surmise, on Vestal's part, that somehow, somewhere along the Tongue, we might find out. I began turning over in my mind how to ask Fire Wolf.

Before I could formulate the question, another Indian, of slightly fewer years than Fire Wolf's eighty-odd, but, like him, tall, erect and dignified, came out of the hut next door. This man walked over to us and gravely looked us up and down.

"Want to buy a pipe?" he asked.

"Might," said Vestal. "Let's see it."

The man went back to his dwelling and returned with a long-stemmed redstone pipe.

"Two dollars," he said.

Stanley gave him four and took the pipe.

"Got anything else to sell?"

"Got another pipe. Come on over."

We three white men followed Fire Wolf's neighbor, and Fire Wolf went back to his supper.

Vestal bought the other pipe, again paying twice the asking price. The Indian said:

"I got a sundance whistle, too. Eagle bone. One I wore when I got these scars."

He touched his breast—he, too, wore no shirt—and then we saw them: The marks that showed where two wooden skewers had been forced beneath his flesh, remaining there until, leaning back against the rope that held them to the sundance pole, the man had pulled free by tearing the skewers out. Few living Indians can show such scars, for the Grandfather in Washington long ago forbade the torture of the sundance.

"You must be Last Bull," said Casey.

"I'm Last Bull," said the old Indian, the pride of recognition sending his shoulders back and his scarred chest out. "I did the sundance just like in old days. Ten years ago I did that."

Casey said: "I know."

The story on the reservation is that Last Bull subjected himself to the ages-old plains Indian ritual of self-torture as a protest, in 1947, against the Indian Bureau's proposal for moving the Northern Cheyenne agency from Lame Deer to Crow Agency, fifty miles west. Whatever Last Bull's motivation, there was no doubt about his having done the sundance. We saw his scars. (Incidentally, the Indian Bureau in 1948 canceled its plan for moving the Agency.)

I asked Last Bull to pose for my camera. He went into his cabin, daubed red paint



Barthlemess and Vestal move toward historic Crow Rock near Big Sheep Mountain, where Sitting Bull fought the Crows, graphically described by Vestal in his great book on the Sioux leader.

on his scars, put circlets of dried sagebrush on his head, across his shoulders and around his waist, hung around his neck the eagle bone whistle on a leather thong, and came out, a figure from the past. In his hands he held the rawhide rope that had bound him to the sundance pole until his flesh gave way.

And then, as I shot my last film, Last Bull said casually to Stanley Vestal:

"I'm the Keeper of the Sacred Arrows, too."

It was as easy as that. Out of more than a thousand Indians on this reservation, the unknown one we had hoped to find had walked up to us.

"You wouldn't let us see the Arrows, would you?" one of us in a hushed voice asked.

"I keep 'em locked up in the tent," said the Indian, adding, after a moment or so: "You can see 'em." To his wife, inside the cabin, he called: "Bring me the ax."

He led us to a nearby structure, half tent, half wooden hut. The roof was canvas, but partway up were walls put together with lumber from crates and boxes. There was just enough framework to support a wooden door. On this door were a hasp and padlock.

Last Bull's wife padded out in her moccasins, carrying a hammer. "Can't find the ax," she said.

"This'll do it," said Last Bull, taking the hammer. He turned to us and explained: "Don't show the Arrows very often, and I lost the key to the padlock, so now I open it this way." He swung the hammer high and whacked it a dozen times against the lock. No luck.

"Gotta have the ax," he said. "Put the ax underneath, hit the lock on top with the hammer."

His wife padded away to look again for the ax.

Their grandson, aged about twelve, standing nearby in bare feet, blue jeans and faded shirt, had been quietly watching. Now he walked toward us. The look on his face reminds me, in retrospect, of the look on my own grandson's face that Christmas Eve when I couldn't make the Christmas tree lights work until he showed me how.

The Indian lad walked to the tent-house door, took a bent nail from his pocket, thrust the nail in the lock, jiggled the works—and the lock flew open. The boy walked away and we saw him no more. Last Bull grunted, dropped the hammer and let us in.

A curtain of dirty muslin hung crossways at the middle of the tent-house. To the curtain was pinned an old envelope, on which was printed in pencil:

KEEP AWAY FROM MEDCHIN

From behind the curtain Last Bull lifted out a bundle, four feet long, wrapped in modern plastic sheeting. He unrolled several yards of this, and came to a coyote skin with the look and smell of age upon it. Last Bull laid the plastic and the cloth aside but he kept the coyote skin in place.

"Can't let you really see the Arrows," he apologized. "Just the Sacred Bundle. We never look at the Arrows ourselves, except every two, three years. Then we have a big ceremony to make the Arrows strong again. Sometimes their power runs out. I have to fast four days before I open the Bundle. I'm the Keeper." The shoulders went back again, the chest out, in awareness of the importance of his charge.

The coyote's head, dried and shrunken, with bits of colored wood in the nostrils, formed the end of the Bundle. Each of us touched it. Last Bull told us what the Arrows look like: Agate points, the shafts



Prophetically Stanley Vestal (back toward camera) makes his last living visit to the site of much of his brilliant writing—famed Custer Battlefield on the Little Big Horn. Some five months later his body rested here with the frontier troopers of whom he had so often written. Casey Barthlemess stands besides Vestal

painted with zigzag stripes to denote lightning, and feathered with eagle plumes. He didn't seem to hear a question as to how and when he became their Keeper. He wrapped them again, first in cloth, then in plastic. Somewhere behind the muslin curtain, reverently he laid the Bundle back.

We walked out of the tent-house and were soon again on our way to Lame Deer. None of us said much for awhile. I don't know what my companions were thinking, but I was trying to realize that here on this August evening on the high plains of Montana I had looked briefly into another time, an older time, of people and concepts different from ours, a vanished time that has left ours the poorer for its passing. I had glimpsed the long-distant past of a so-called savage people whose way of life held much that was good. The Cheyennes think they have possessed the Sacred Arrows since the Beginning. The Arrows were their tribal palladium, symbolic of the Great Medicine, who made the sun, moon, stars and earth and put the Cheyennes on the earth. It was He who sent them the Arrows, through the tribal culture hero, a leader and prophet who received them from the Great Medicine on a mountain peak when the Cheyenne

world was created. The Arrows gave the Cheyennes the power to kill the animals whose meat and skin the people needed to survive, and the strength to overcome their human enemies. The Arrows were the symbol of life, and the Medicine Arrow ceremony in the old days was a religious ritual of great tribal significance, at which everyone changed for the better, and courage and life were renewed. In view of the way that their old life had been wiped out, within the memory of men still living, it seemed to me amazing—and somehow reassuring—that its few remaining survivors should keep alive even these few embers of an ancient faith.

Next day, in Miles City, Stanley Vestal went "to do some shopping." He came back with a small package ready for mailing.

"Let's drive past the postoffice," he said. "I have a little gift for Last Bull."

"No use sending him tobacco," I remarked. "You bought all his pipes."

"This isn't tobacco," replied Stanley. "It's a new padlock—the kind that opens without a key, if you can remember the combination. Last Bull may not know how to make it work, but his young grandson will."



Afterthoughts on the Vigilantes

By J. W. Smurr

In spite of the considerable volume of literature which has been published on the subject, anyone whose mind is not stultified by romanticism is bound to admit that the history of the Montana Vigilantes is very imperfectly known. This is something of a blemish on the writing of the state. Dimsdale wrote his little book almost a century ago, Langford came out with his more than sixty years past, and the writing that has been done since has mostly been a reworking of these two authors.¹ If one does not find what he is looking for in Dimsdale and Langford, he is not likely to find it at all. I do not mean to suggest that we can get at the truth of the Vigilante movement simply by adding new information to that which we already have, for I believe that the greatest failing has been in making poor use of the older materials.

Perhaps if we could be certain of finding new evidence at least as good as the

old it would be wise to postpone any rigorous re-examination of the standard literature until the hoped-for discoveries took place. The recovery of records during recent decades has on the whole been so unimpressive that it is no longer reasonable to expect future finds of importance. Such tidbits as turn up, helpful though they may be in minor respects, cannot and do not alter the realities of Vigilante history.² We are very much like the classicists in our dependence upon a few sources of doubtful merit.

Let us make a virtue of necessity by assuming, as is indeed the case, that Dimsdale and Langford are unreliable, and apply our critical knives to the puffy corpulence of their literary remains in order to find out what, if anything, is buried inside. I propose in this place to examine certain things which they either mentioned with reluctance or not at all, with a view of finding the answer to two questions: Was the Vigilante movement universally popular in Montana; and if not, why not? It is a large investigation, and to get anywhere with it, in a limited space, I must assume that my readers have read either

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Dimsdale or Langford. I do not apologize for this, because both books are entertaining, so entertaining that a good many people have augmented their incomes considerably by rewriting them and adding colorful matter of their own invention. Whether these sums have been fairly earned is a question which the reader must answer for himself, after giving me a chance to invoke the statute of frauds.

A good place to start is with Langford's book of 1890. Mr. Langford was a man of high purpose, and what that purpose was he hastened to make clear the moment he took up his pen. If he enlivens his narrative with melodramatic writing, he tells us, it is to show the situation in its darkest colors so that the world might know why the Vigilantes took the law into their own hands. In simpler terms, he proposes to justify them. To justify them to whom? Drawing upon scattered remarks in his book, modern writers have supposed that he was concerned with certain criticisms of the Vigilantes which were current many

years after the first period of activity. Although the whitewashing of the movement was already an established tradition in Montana when Langford began to compose, there had indeed been something of a reaction. Col. W. F. Sanders was nettled by it and showed his irritation in a speech before the Bar Association in 1886.³ As everyone knows, Vigilante raids on the Musselshell by Granville Stuart and other stockmen in 1884 were openly denounced at the time. A story was spread to the effect that the ferocity of the plainsmen was so great that Stuart executed his own son upon finding him with the criminals.⁴ Unprejudiced readers will concede that people who found fault with Vigilante activity in the 1880's might easily have come to believe that such proceedings had been wrong from the first.⁵

I myself question whether there was ever as complete a break in public sentiment as Langford and later writers suggest. As early as 1867 an attempt by the Helena Vigilantes to revive their former organization was publicly condemned by a special group formed for that purpose. This group limited itself to a criticism of the methods of the Vigilantes, but I think they were out to eliminate Vigilante activity altogether. Judge for yourself. Here is the notice the anti-Vigilantes ran in the *Montana Post*:⁶

¹ There are many editions of Thomas J. Dimsdale's *Vigilantes of Montana*, published as a newspaper serial in 1865 and as a book in 1866. The two should probably be compared. I used the 1949 reproduction by McKee Printing Company of Butte. The most recent re-issue of Nathaniel Pitt Langford's *Vigilante Days and Ways* (1890) is the Montana State University edition of 1957. I regret that Langford's own introduction was not included in it. Eyewitness accounts published after 1866 were influenced by Dimsdale's presentation and must be used with caution. This applies in particular to two "primary" sources for the period, the Beidler and Thompson narratives. In her *History of Montana* (Chicago & N. Y.: Lewis Publishing Co. 1913, 3 vols.), I, pp. 183-230, Helen Fitzgerald Sanders drew heavily on a Beidler manuscript which she says he composed in 1889-90, the last six months of his life (I, p. 194n). In a recent and peculiar edition by herself and William H. Bertsche, Jr., earlier dates are mentioned: X. Beidler, *Vigilante* (Norman: University of Oklahoma Press, 1957), pp. vii, xii, xiii, 117n. Francis M. Thompson, another who was present during part of the early Vigilante movement, did not write his story until he was an old man. It appeared as "Reminiscences of Four-Score Years," in the *Massachusetts Magazine*, as follows: (1912, Supplement), 5:123-67; (January, 1913), 6:28-45; (April, 1913), 6:63-81; (July, 1913), 6:99-124; (October, 1913), 6:159-90; (January, 1914), 7:11-31; (April, 1914), 7:85-94; (July, 1914), 7:129-36.

² In a radio broadcast later reprinted in the *East Boston Leader* of October 7, 1949, Edward Rowe Snow located the family home of Henry Plummer at 56 Webster street, East Boston, Massachusetts. The Plummers were bakers, he said, and Henry was a baker too. In that capacity he shipped out of Boston on November 11, 1851, on Donald McKay's clipper, "Flying Fish." From there he went to California, etc., etc. The story is plausible even though it conflicts with Langford at some points. Langford claims to have met the Plummer family in later years. He placed their home in Connecticut.

³ Edward C. Russell (ed.), *Proceedings of the Montana Bar Association* [1885-1902] (Helena: State Publishing Company, 1902 [?]), pp. 174-75.

⁴ The story was still circulating in the 1920's when the publication of Stuart's memoirs put it to rout. There it was revealed that Stuart's nephew, not his son, was involved in the affray, and that he was merely wounded.—Granville Stuart, *Forty Years on the Frontier*, edited by Paul C. Phillips (Cleveland: Arthur H. Clark Company, 1925), II, p. 207 and note. Stuart's valuable book was recently reissued by the Clark company.

⁵ Few people put such sentiments into print. There was little profit in doing so, since by 1890 authoritative literature had loaded the scales in favor of the Vigilantes. Persons likely to suspect Dimsdale's candor were everborne by the mass of documents presented by H. H. Bancroft in Vol. I of his *Popular Tribunals* (San Francisco: History Company, 1887), pp. 674-714. These documents seemed to support Dimsdale on all points. They tempered the loose statements of Olga Bandel, whose *Banditti of the Rocky Mountains and Vigilance Committee in Idaho* (Chicago, 1865) was described by Dimsdale as "vulgar fable" (*Montana Post*, August 26, 1865). Contemporaries of Bancroft like John W. Clappitt, author of *Echoes from the Rocky Mountains* (Chicago: American Mutual Library Ass'n., 1890 ed. of the 1888 work) were no less uncritical in accepting Dimsdale. Langford's book both reinforced the Dimsdale-Bancroft tradition and was reinforced by it.

We now, as a sworn band of law-abiding citizens, do hereby solemnly swear that the first man that is hanged by the Vigilantes of this place, we will retaliate five for one unless it be done in broad daylight, so that all may know what it is for. We are all well satisfied that in times past you did do some glorious work, but the time has come when law should be enforced. Old fellow-members, the time is not like it was. We had good men with us; but now there is a great change. There is not a thief comes to this country but what 'rings' himself into the present Committee. We know you all. You must not think you can do as you please. We are American citizens, and you shall not drive and hang whom you please.

It is worthwhile remembering that when Dimsdale wrote his book, two years before the incident just related and a quarter of a century before Langford, he approached the Vigilantes in the same apologetic spirit as his successor and gave the same reasons for it. He would demonstrate "not only the necessity for their action, but the equity of their proceedings." I am unable to follow writers who gratuitously assume that he, and Langford, too, were writing with Eastern readers in mind; the difference here being that Dimsdale was writing almost contemporaneously with the events he described, too early, I think, for Eastern reaction to have become known. He may, of course, have been anticipating a bad reaction from the East and seeking to forestall it. One wonders why he wrote his book at all, if that was on his mind. Granville Stuart's pro-Montana pamphlet of 1865 ignored the Vigilantes completely, certainly a much wiser policy.⁷

These theories about Western fear of Eastern reaction assume what I believe remains to be proved, to wit, that the Vigilantes would have been condemned out of hand if the Westerners had failed to publish books like Dimsdale's. I call the reader's attention to the vulgar boastfulness of

Dimsdale in dealing with terrorism when applied to Western criminals. If his object was to convince Easterners that the Vigilantes had a high regard for human life, he might have chosen better language for the purpose. But why must we assume that the East was unsympathetic? The success of Mark Twain's *Roughing It* and the Beadle novels demonstrates that an appreciation of Western conditions had existed in the East for some time past; built up, no doubt, by the Dimsdale book and many others employing the California style, an art form deeply rooted in American frontier experience and no mere contrivance. A nation which could be led to excesses against the Mormons and the Minnesota Sioux on the strength of sensational reports easily disproved, a nation inured to the carnage of four years of Civil War, was not a nation likely to blanch at a little bloodletting hundreds of miles away in the Rocky Mountains. Violence on the frontier was an old thing, as everybody knew. Perhaps the typical Eastern reaction was that of Charles Dickens, who was fascinated by the Dimsdale book and expressed a desire to meet X. Beidler, the Vigilante executioner.⁸ Dickens was always interested in bizarre types. So were his readers.

The most logical persons to have criticized the Vigilantes were not those who lived far from the scene, but people who were present at the executions. They alone were in a position to know whether the actions taken were necessary or not. A significant amount of space in Dimsdale is taken up in explaining away certain hangings which should have been left out of the book altogether if the author's object was to placate the East. Other actions which reflected discredit on the Vigilantes were not discussed by Dimsdale. Why this selectivity? Was it not because a few episodes were so notorious locally that they had to be justified before Montana critics, regardless of the effect this policy might have on Eastern readers? I offer the Daniels affair as a case directly in point.

When a person is writing Vigilante history, so much depends on his point of view. In a letter sent to the *New York*

⁷ Bancroft tells the story in *Popular Tribunals*, I, p. 704. He was frankly baffled by the incident and did not know how to fit it into his Vigilante philosophy, in spite of which he was good enough to say that the pro-Vigilante editor of the *Montana Post* considered the members of the new group "honest and respectable."

⁸ *Montana As It Is*, Paul C. Phillips, ed., *The Frontier* (November, 1931), Vol. 12; reprinted as No. 16 of *Sources of Northwest History* (Missoula: State University of Montana).



Vigilante Executioner, X. Beidler

Tribune from Virginia City, dated July 9, 1867, A. K. McClure said of the Vigilantes: "In these years of operation, covering nearly one hundred executions, this organization is not today charged, by friend or foe, with partiality or prejudice, or with a single unjust punishment."⁹ The popular writers of today would doubtless take this to be a complete exoneration of the Vigilantes by a man who was in a position to hear grumbling if there were any. A skeptic like myself wonders what McClure meant by "friend or foe." But take it as it is, his statement is still false,

⁹ *Helena Weekly Herald*, June 28, 1888.

¹⁰ A. K. McClure, *Three Thousand Miles Through the Rocky Mountains* (Philadelphia: Lippincott, 1867), p. 238. This writer was in no position to know the facts. One month after making the above statement in Virginia City he wrote: "During the six weeks I have been in Montana I have not rotated outside of a circle of eight miles from this place . . ."—*Ibid.*, p. 239. During his stay in Montana, Sanders, Beidler, Howie and other Vigilante stalwarts filled him with stories which probably made him useless as a reporter.—*Ibid.*, p. 420.

¹¹ In later years, at least, Amede Bessette stated that the Vigilantes made a mistake in hanging R. C. Reighly (or Rawley) in the fall of 1864:—Amede Bessette, "The Last Bandit Hanged in Bannack" (ms. B R27, Historical Society of Montana Library, Helena). Addison Wolfe opposed the hanging of Slade the same year:—A. I. Noyes, "Mr. and Mrs. Addison Wolfe" (ms. B W83, Historical Society of Montana Library).

because we have evidence from eyewitnesses that some people did believe the Vigilantes guilty of inflicting unjust punishments.¹⁰ This evidence, though slight, is unimpeachable. If anyone feels that it is unrepresentative, let him turn to Dimsdale-Langford. I contend that when these two books are examined with care, one perforce comes to believe that never did all the peaceloving citizens of Montana fully approve of what the Vigilantes did during the very heyday of the movement, the period 1863-65. The following facts, well known to attentive readers of Dimsdale-Langford, ought to be spread across the record at this point as evidence of the public temper in those days.

The Vigilantes constituted a private group.

They tried their victims in secret.

They seldom boasted of their exploits then or later, and the rollcall of their organization was never published.¹¹

Taking their lead from Dimsdale-Langford, modern writers have construed these facts entirely in favor of the Vigilantes. We learn that they remained a private society because they feared reprisals by uncaught rogues. They worked in a dark and mysterious manner for much the same reason, and also to forestall last-minute rescues by force. They did not choose to make their former connections with the organization known, because they were modest or because they had found the work distasteful. And so on and so forth

... The ordinary way of treating malefactors in a mining camp was to convene all the miners of the district and to call for a verdict by all. A variation of the scheme was to appoint a jury from among the larger number, but with the understanding that an appeal to the whole group could be had, upon conviction. The Vigilantes abandoned this democratic procedure and substituted private trials by men who were usually convinced of the guilt of those they hunted down, even before interrogating them. Had they kept to their original intention of punishing only with

¹² When they did boast it was before their own kind or in the presence of Eastern journalists easily taken in. See sources in note 9, above.



death, the break with tradition would have been more startling, but the inhumanity of such a procedure forced them to fall back on banishment in some instances. One may assume that the policy of bypassing the miners' court annoyed quite a few people, because both Dimsdale and Langford were so determined to justify it. They explained it away by relating how earlier attempts to convict known murderers had been foiled by cheap appeals for mercy and by fear of armed rescues and reprisals by friends of the accused. They emphasized the difficulty in trying to operate an open court system where the sheriff himself was the leader of the criminal gang. To these excuses they sometimes added a fourth, namely, that speed in capturing criminals being essential, the ponderous miners' courts could not act fast enough. Were these explanations as acceptable to the men of the time as they apparently are to modern worshippers of the Vigilantes?

The first defense employed by Dimsdale-Langford, that the miners were weak in judgment and easily persuaded by the wrong side, was in reality an attack on the rationale of the entire American court system, a fact as obvious to them as it is to us. The *amour propre* of any modern

citizen would be grossly affronted were he to be told by some self-constituted authority that he was unsuited to serve on a jury confined to the select few. Was it otherwise one hundred years ago? The impression I get from the sources is that before the hanging of Boone Helm the miners would have abdicated their civil rights to the hounds of hell, had that been the quickest way of ridding themselves of the murderers, but that afterwards they had doubts on the matter and showed their feelings in criticism of the Vigilantes. Dimsdale's description of popular reaction to the executions of Slade and Brady seems to bear me out here. In any case, inasmuch as Dimsdale-Langford placed more stress on other defenses it is obvious that they had little faith in this one.

They preferred to say that the Vigilantes operated privately out of fear of counter-action by criminals. If the Vigilantes feared that criminals still loose in society would form a band and attack them in order to free their prisoners, was the threat as important in the later phases of the clean up as it was, say, during the sensational trial of Ives? I think not. After the leading men in Plummer's gang had been executed in Bannack and Virginia City the Vigilantes decided to punish the others as well. Though somewhat out of order in this place, I cannot refrain from pointing out that many of the remaining members of the road agent band were planning a flight to Idaho and might have succeeded if the Vigilantes had not apprehended them first. In spite of that it is commonly said the Vigilantes desired only to drive the criminal element out of the Territory. These lesser figures had no opportunity to raise a strong force for any purpose. Judging from the small numbers sent in their pursuit, the Vigilantes never expected them to do so. The record shows that after Helm's death there was no real chance of a last-minute raid on the Vigilantes, and a trial by the miners in open court could have been had in some cases. If it was personal reprisal which the Vigilantes most feared why, when the years passed and this danger had lost all meaning, did they remain obdurate on the issue of publicity? The policy was carried to

such lengths that several families of deceased members destroyed all evidence linking them to the organization. When one remembers that the Vigilantes usually went unmasked, it is hard to give much credence to the fear of reprisal as an excuse for closed trials. At best, the excuse has meaning only for the small group of leaders who performed entirely in the shade.

Little time need be spent in disposing of the argument that the Vigilantes had no choice but to abandon the miners' court because its chief police officer, the sheriff, was in cahoots with the criminals. Henry Plummer was hanged in January of 1864. The majority of the road agents were executed after that event.¹²

The fourth reason advanced by Dimsdale-Langford for not trying the suspects in the regular miners' court strikes me as the feeblest of all. Pursuing and punishing persons accused of crime are distinct operations. The Vigilantes could have served as a regular posse and left trial, judgment, and execution to the miners in their court. Such, in fact, seems to have been their general policy with respect to the People's Court set up at Virginia City at a later date, although even here, I think, the Vigilantes performed as prosecutors as well as policemen. The slowness of the miners' court would have been unimportant if the Vigilantes had stood by to prevent escapes. If dissatisfied with the verdict (which would rarely have gone contrary to their wishes), they had the option of recapturing the guilty men and hanging them anyway, the policy applied against Daniels. If the reader is honest with himself he will admit that there was just as much need for fair trial procedure in a gold camp as anywhere else. On one occasion the Vigilantes hanged a man for

murder while his victim was still alive. The victim recovered later. At a regular miners' court, had one been convened, some friend of fair-play might have prevailed on the jury to withhold action until the issue of life-or-death were known, but the Vigilantes moved too fast for that. The most cynical passage I have ever seen in a book of Western literature closes a summary of the tragedy in these words: "somewhat to the chagrin of the Vigilantes the wounded man eventually recovered."¹³

I believe that the Vigilantes kept trial and punishment in their own hands because they had little faith in the jury system itself, and I cannot help but think that their attitude was well known and resented, at least by some people. A group which received so much tender consideration from contemporary writers (themselves Vigilantes or friends of Vigilantes) obviously had a record which needed defending. That the Vigilantes finally relinquished their power to the civil authorities does not speak for their attitude in earlier days, a fact which Judge Hosmer took into account when setting up the first district court in December of 1864. Why appeal to them to be law-abiding otherwise?¹⁴ As it turned out, his fears were well founded.

There is little point in denying that the Vigilantes had good reason for mistrusting public trials. Mining camp populations were transitory in nature and a free-and-easy toleration of the criminal element had helped to elevate Plummer to great power in the first place. Such toleration was of the most reprehensible kind, because no one with two eyes could conceal from himself (howevermuch he might conceal from his neighbor) the vicious behavior of the road agents or doubt that

¹² The situation in Idaho was different. There the criminals not only captured many law-enforcement agencies but important political offices as well:—William J. McConnell, *Frontier Law* (NY: World Book Company, 1924), pp. 172-95, *et passim*. According to Beidler, Henry Plummer applied for the position of U. S. marshal and the commission was granted and arrived after his death. (Sanders and Bertsche, *X. Beidler*, p. 22.) Had Plummer lived to claim his office the Vigilantes could have safely hanged him anyway, certain of the support of Chief Justice (later governor) Edgerton. (McConnell's book should be weighed against his earlier manuscript in the Bancroft Library. He covered somewhat the same ground in his *Early History of Idaho* [Caldwell: Caxton Printers, 1913].)

¹³ Hoffman Birney, *Vigilantes* (Philadelphia: Penn Publishing Company, 1929), p. 340. The old saying that knights of the quill are more bloodthirsty than soldiers is borne out in Vigilante literature.

¹⁴ Thompson purports to give Hosmer's charge in its entirety. He reproduces the first part of it, and what he offers is highly flattering to the Vigilantes. What he does not print is the longer section following the introduction, wherein Hosmer insists that Vigilante activity must be halted at once or it will end by corrupting the Vigilantes themselves. His inspired prophecy was wasted:—Francis M. Thompson, "Reminiscences," etc., *Massachusetts Magazine* (January, 1914), 7:12-13; *Montana Post*, December 10, 1864.



they were the persons responsible for the criminal acts committed day after day, often with the flimsiest kind of concealment. Dimsdale-Langford indulged in fictioneering when they described Plummer as a leader of genius. He and his cohorts blundered again and again, as the record plainly shows. As repositories of dark secrets they were flat failures. Compared to criminals like Murell of Natchez Trace, they were bumpkins fresh from mother's knee.

Admitting all that, I still feel that the Vigilantes have a good deal to answer for if they deliberately flaunted a court system which they might have used once in a while. I am impressed by the fact that on several occasions a specific pledge to a criminal that he would be taken to Virginia City for trial was deliberately broken. As we have noted, Dimsdale-Langford ascribe such behavior to the fear of armed assault by thugs still at large in the town. It seems probable that what the Vigilantes feared much more was subjection to anguished appeals by women. They always dreaded that contingency, even when facing prostitutes. The Vigilantes themselves would hold firm, of that they were sure, but what about the fickle miners? The precedents were most discouraging.

The most revealing action of the Vigilantes with respect to the court system of the early period is found in the Slade affair. Slade was a public nuisance of the first order and a menace to society, but at the time of his hanging he had supposedly committed none of the crimes for which men were ordinarily executed in Montana Territory.¹⁵ At one time, it seems, he had even been a member of the Vigilantes. After the mass executions in Virginia City early in 1864, Alexander Davis shamed the reluctant Vigilantes into setting up what was known as the People's Court. Davis was elected presiding judge of it.¹⁶ Although its announced purpose was to hold fair and open trials of a more constitutional sort, the Vigilantes opposed what they considered its kid-glove treatment of Slade. They favored his direct punishment at their own hands. When Slade defied the court after one of his wild carousals the Vigilantes lost patience and called for a general meeting of their members. At that time the more timid miners had enrolled as Vigilantes and the small groups which had initiated the movement were swelled by hundreds.¹⁷ The leading members constituted the Executive Committee, hitherto the real power of the organiza-

¹⁵ There are many accounts of Slade's life and most of them contradict one another. The latest information shows that he was indicted by a Colorado grand jury on March 2, 1863, for assault with intent to kill. He fled to Montana before his trial commenced. On learning that the Montana Vigilantes had hanged him the Colorado marshal scribbled on the arrest warrant, "Slade is dead, defunct."—Forbes Parkhill, *The Law Goes West* (Denver: Sage Books, 1956), pp. 55-57.

¹⁶ The best source of information on the People's Court of Virginia City is the account written by Davis' son: —Walter N. Davis, "Hung For Contempt of Court" (ms. 978.6 D28, Historical Society of Montana Library, Helena).

¹⁷ This, at any rate, is the conclusion I have come to after consulting the welter of statements on the size of the Vigilante organization from one period to the next. In the case of Slade the question is whether the men who came to the execution from surrounding areas are to be counted as Vigilantes or not. Dimsdale-Langford are fuzzy here. In some cases the confusion of numbers is probably no accident. Whenever something was done which might reflect discredit on the Vigilantes, their apologists have been tempted to say that the real culprits were crude outsiders, thereby implying a rather small Vigilante organization. A prime example is Bancroft's comment on the killing of Joe Pizantia. Those present at the slaying went berserk and treated the corpse in a barbarous manner. "It was a mob, not the Vigilance Committee, which in a frenzy executed its vengeance in this way," he says. (*Popular Tribunals*, I, p. 682.) For other accounts see Bandel, *Banditti*, p. 136; and William H. Clendenen, "Across the Plains in 1863-65," *North Dakota Historical Quarterly* (July, 1928, II, p. 269).

tion. When the angry miners poured in from neighboring localities, as bloodthirsty now as they had been timorous before, the Executive Committee reluctantly surrendered control and Slade was hanged against their wishes. Consider the episode from the Committee's point of view. What was this larger assemblage but the old miners' court all over again, with its running after extremes, its intense emotionalism, and its lack of respect for the "better element" of the Vigilantes? If the Vigilante leaders retained any confidence in popular juries before the Slade affair, surely that fiasco convinced them it was misplaced.

I do not think most people realize how strongly the Vigilante officers must have felt about juries. I say "must have," out of deference to those who may be unconvinced by my previous remarks on the subject. For them I have a final consideration to offer. When we read that "the Vigilantes" did this or that, it is important to keep in mind the structure of the organization, because the number of Vigilantes who performed the more important tasks was very small. Under the "Regulations and Bye Laws" adopted in 1863, the trial and sentencing of criminals was left to an Executive Committee of seventeen members.¹⁸ When I speak of "the Vigilantes" operating in a secret manner, it is the Executive Committee I refer to, as the other branches of the organization simply carried out orders handed down from on high. The "hundreds" or thousands" whom the public saw at the most famous executions had no more to do with the *trials* of the accused than the public itself.¹⁹

Confusion on this point has developed out of an unfortunate use of the word "committee." At times Dimsdale-Langford use it in reference to the Executive Committee, and at other times to the entire

body of Vigilantes. By remembering the special powers entrusted to the Executive Committee, the reader can easily keep the two groups separate when studying any particular action by "the Vigilantes" or "the Committee." Arguments to the effect that the Vigilantes were justified in ignoring the miners' courts, since these they could not trust, are less impressive when it is realized that the Executive Committee rarely permitted the rank-and-file Vigilantes to participate in the trial of accused persons.²⁰ Under the procedure laid down by the regulations it was fairly easy for the leaders to keep a close scrutiny over the membership, so I do not think they retained supreme power in their own hands out of fear of infiltration by the criminal class. Nor, for that matter, do I think they did so out of sheer perversity. All the observations I have made with respect to their attitude toward the miners' court apply equally well here. They just did not trust juries, that is all. Let us pass to another subject for the moment.

Langford tells us in so many words that Vigilante activity disappeared gradually.²¹ Once the Vigilantes "found the courts adequate to their necessities," they saw no reason to continue. Later revivals of the organization were "extreme cases" in which "the slower process of law" had to be anticipated, but "only when the offense was of a very aggravated character." During Plummer's day the excuse had been that there was no judicial system at

taking place without the intervention of defense attorneys, a very desirable state of affairs from the Vigilante point of view. One of the reasons for the Vigilantes' dislike of miners' courts was the success of defense lawyers who appeared there to defend road agents. Some writers imply that all these attorneys were crooks. Langford says that one of them "was a man of remarkable ability in his profession, and of correct and generous impulses. To a clear, logical mind and thorough knowledge of his profession, he added fine powers as an orator; and it was these qualities, more than any sympathy he indulged for his clients, that rendered him obnoxious to public censure and suspicion. After an exile of two years he returned to the Territory, and resumed the practice of law, which he followed with success until his death, which occurred in Helena in 1870. He was greatly lamented by all who knew him."

²¹ Confirmed by Wayne Gard, *Frontier Justice* (Norman: Oklahoma University Press, 1949), pp. 183-88; Bancroft, *Popular Tribunals*, 1, pp. 696-713; M. A. Leeson, *History of Montana, 1739-1885* (Chicago: Warner, Beers & Company, 1885), pp. 302-16; and McClure, *Three Thousand Miles*, pp. 286, 378-79, 391, *et passim*.

¹⁸ The Regulations are reproduced in Birney's *Vigilantes*, pp. 218-21.

¹⁹ "Here we should say that the Committee always held their examinations in secret, and executions in public." —Bandel, *Banditti*, p. 95.

²⁰ The authority of the Executive Committee was sometimes delegated, it seems, but always to small and select groups. The men who pursued and captured the road agents after the execution of Boone Helm usually "tried" their prisoners before hanging them. These trials were probably modelled on those conducted in the city by the Executive Committee and are interesting for that reason. They had the supreme merit of



all; now, with People's courts and Territorial district courts in operation, the slowness of ordinary procedure is considered sufficient justification for private killings. Quite a change.

Competition with established courts was no new thing for the Montana Vigilantes, however. In August of 1864 the deputy sheriff of Madison county and a Vigilante captain both appeared in a Salt Lake court to claim a man charged with theft in Montana. He had been "arrested" in Utah by the Vigilante officer. It is not certain that the sheriff and the captain contested one another's claim to the man, but when the court freed him (because neither claimant had a warrant) it "refused to deliver him to either of the applicants for custody . . ." ²² Montana Vigilantes in the vicinity then ignored the court by kidnapping the thief and bringing him to trial in Montana Territory, where he was hanged. (The reader might also keep this episode in mind when he reads that the sole object of the peacemakers was to drive the criminal element out of Montana.)

On June 7, 1865, what appears to have been another conflict with the courts took place, this one in the new town of Helena. A person named Keene surrendered to a citizen of the town immediately after murdering a man in plain daylight in front of a saloon. The prisoner was turned over to the sheriff, and there can be little doubt that at a regular trial he would have been sentenced to death by any jury that ever sat. Before that could happen a crowd gathered and formed a committee to try him at once. Vigilantes from

Alder Gulch were on hand to provide leadership.²³ The sheriff refused to surrender his prisoner (a sure sign that sentiment for regular trials was growing), but he was overpowered and the victim was hanged by orders of a special jury called on the spur of the moment. As this "trial" was only partly dominated by Vigilante influence, the public saw a good deal of it and the deliberations were long. According to Dimsdale, the episode demonstrated that a more formal Vigilante organization was required. The Helena Vigilantes immediately took form, to commence without delay the great work of executing criminals at no cost to the taxpayer.

The Keene hanging illuminates certain dark aspects of Vigilante history which I must deal with here in order to show that the crowd which tried him in this informal manner had a perfectly feasible alternative before them. A word on the court system is in order.

Although Keene was tried and punished almost a full year after Montana Territory was constituted, the only Territorial court authorized to try felonies did not sit in Helena until August 1, 1865, too late to be of service to Keene or his accusers.²⁴ Montana was a part of Idaho Territory for a time and subject to its laws, but the Idaho district courts did not fully organize before Montana was set off as a separate Territory, so they did not figure in the Vigilante history of this state. I mention the Idaho courts at this point so the

²² Bancroft, *Popular Tribunals*, I, p. 694.

²³ An eyewitness account, presumably by Dimsdale himself, is printed in the *Montana Post* for June 17, 1865. It should be used in conjunction with the version given in his book. In the newspaper Keene is described as surrendering himself to a citizen, who then gave him over to the sheriff. (For this and certain other newspaper references used by me in this article I am indebted to Mr. John Hakola of the Historical Society of Montana, Helena.) Beidler uses the word "Committee" in such a way when telling of the Keene affair that I think he meant to show that the action ended as a Vigilante project, regardless of how it began:—Sanders and Bertsche, *X. Beidler*, p. 115. A worthless rehash of the Dimsdale version appeared in the *St. Louis Globe Democrat* of October 11, 1889.

²⁴ *Montana Post*, August 5, 1865. In theory, felons could have been taken to the courts which were operating in the southern part of the Territory, but I think the Vigilantes were right in saying that the long delays which such a procedure entailed gave rise to further crime. They also said that district court juries never found capital offenders guilty. Contempt for the district courts was widespread, according to McClure:—*Three Thousand Miles*, pp. 332-35, 388, 411.

reader may understand that the situation facing the Helena people in the Keene affair was legally the same as that which the citizens of Bannack and Alder Gulch had to contend with in 1863-64.²⁵ The only duly-constituted court in Helena at the time was that held by Justice of the Peace Orsin Miles, and JP courts had no authority to try felonies.²⁶ What, then, were the good people of Helena to do? Release Keene and give him liberty to murder others because there was no legal way of terminating his career?

The people of the West were often faced with such a dilemma during the first months of Territorial government. Unwilling to free dangerous criminals, they had no choice but to try them by a court which had justice, if not law, on its side; a court of their own devising. Two such courts had emerged, the Vigilante court and the People's court. To the uncritical reader there might seem to have been little difference between them, since both were extra-legal and both had to rely upon the inchoate mass of the citizenry for support. But the differences were fundamental. The Vigilante "court" was a private affair whose principal sanction was violence. Lawyers were not permitted to argue for defendants, as a general rule, and other elements of fair trial were missing. Vigilante decrees were irrevocable, since the Vigilantes answered to nobody but themselves. The People's court represented an orderly evolution from the old, unwieldy miners' court. Our information for such courts in Montana is scanty, but very likely they operated here much as they did elsewhere. Defense attorneys were sometimes present and in general there was some effort to adhere to the spirit of the common law, the People's courts thereby serving as a check on the blood-lust of enraged mobs anxious to inflict summary punishment. Vigilante committees were irregular by their very nature. People's courts were continuing bodies with a sense of responsibility. As we have seen, the Vigilantes more than

once competed with the established courts. I know of no instance in Montana where a People's court did so, and most of them gladly laid down their authority when Territorial district courts appeared on the scene.

I think it was to the People's court which Sanders referred when he later said that the "voluntary organization of miners' courts had in the spring [of 1864] yielded their jurisdiction without resistance or regret to the justices of the peace and the probate courts . . ." ²⁷ If he had some other body in mind he was wrong. Criminal trials before the old-fashioned miners' courts ended with the Ives trial of December, 1863. They were succeeded first by Vigilante action, then by the People's court of Virginia City, and finally by the Vigilantes again, working parallel with the People's courts. Probate courts had only civil jurisdiction. In suggesting that justices of the peace tried major criminals, Sanders probably meant that these officers often presided at the People's courts in order to give a semblance of legality to their proceedings, a common practice in other Territories and doubtless here. I think that wherever a justice of the peace is found presiding at what is otherwise described as a simple miners' court, one is in reality dealing with a People's court. I refer to real justices of the peace, men who bore commissions from some Territorial governor, and not to persons elected to that office by miners.

Readers who must have a villain to hate but nevertheless cannot bring themselves to criticize the Vigilantes, in spite of all I have said, may vent their spleen on the Federal government, especially Congress; for there was no immutable law barring the solons from providing for the judicial interregnum which frequently took place between the founding of a Territory and the establishment of Territorial district courts. In earlier days of Territorial government, governors could be empowered to establish a tem-

²⁵ This accounts for the otherwise puzzling inactivity of Chief Justice Edgerton of the Idaho court during 1863. His encouragement of the Vigilante movement is something else again.

²⁶ The appointment of Miles is reported by the *Montana Post* for February 18, 1865.

²⁷ Russell, *Proceedings of the Montana Bar Association*, p. 174.

²⁸ For example, the authority bestowed upon Governor Sargent of Mississippi Territory in 1798:—Clarence E. Carter (ed.), *The Territorial Papers of the United States*, v. (Mississippi), p. 32; *Sargent's Code* (Jackson: Historical Records Survey, 1939), p. ii.



porary police system designed to operate until the Territorial judges arrived and set up shop.²⁸ By 1864, when Montana was created, the Territorial system had become too rigid for that, largely because of the indifference of Congress. But this is beside the point. We have seen the suspicion with which Judge Hosmer regarded the Vigilantes. The district court not only refused to retry an issue determined by the People's court but affirmed its judgments in an official manner.²⁹ The law-abiding citizens of Montana should have supported their People's courts and used the Vigilantes as policemen only. Where no People's court existed it was the work of a minute to establish one. It is wrong to say that Montanans had the Vigilantes or nothing.³⁰

²⁸ Davis, "Hung For Contempt of Court," (Historical Society of Montana Library, Helena).

²⁹ The People's courts have been neglected by legal historians. Modern writers tend to confuse them with the well-known miners' courts, for one reason because they did not always distinguish themselves by name, and for another because they did not exist except where the miners' courts had time to develop into this more mature form. Most mining camps were ephemeral. Langford says that the People's court which operated in Virginia City from January to December of 1864 "possessed all the requisites for trial of a constitutional court . . ." Davis' account (see note 16, above) is in the same vein. This means that the court had regular magistrates, regular juries, regular rules of procedure; and for these reasons differed from the hit-or-miss miners' courts of an earlier day. (Other sources on the People's court can be found by working back through the footnotes in Gard's *Frontier Justice*, pp. 254-89.)

Returning to the later revivals of Vigilante power, we have already seen the attitude of a Helena group in 1867 toward the new appearances there, and Langford admits that one such revival (the lynching of Daniels) was wholly wrong. He nevertheless gives a broad sanction to the later activities in the words quoted above, and speaks insinuatingly about irresponsible elements within the Vigilante organization, or of persons who were not Vigilantes at all, as the agents responsible for occasional lapses from high standards. It seems to me that the failures he glosses over so easily were inevitable in any organization which set itself above the law. The logical end of the process was reached in Helena, in 1870, where the Vigilantes coolly seized two prisoners from jail by force and hanged them in outright defiance of a Territorial judge who urged that the prisoners be turned over to the Territorial court. The deed was not done in the heat of passion but calmly, with the fullest knowledge of the seriousness of what was afoot. While few modern writers discuss this outrage, earlier historians were more forthright. Bancroft said that it would "recommend itself to all lovers of justice."³¹ Was *this* what was known as "mobocracy, lynch law, the work of the infuriate rabble?" Certainly not.³²

I am quite sure that a goodly number of Montana citizens did not approve of these revivals, and I point to efforts by Langford to de-odorize the hangings as demonstrating the existence of criticism. What of the executions he does not mention? In spite of the fact that Langford had ample opportunity to treat the revivals in detail it is significant that he speaks only in general terms, the Daniels case excepted. He gives us accounts of Vigilante activity all over the West, but of the two actions last described, not a word. As an example of his crafty methods his treatment of the Helena affair of 1870 is worth emphasizing. Only a few weeks before it took place a hot controversy *pro* and *con* the Vigilante system raged in the regional press.³³ If Langford had discussed the hanging he could hardly

³¹ *Popular Tribunals*, I, p. 706.

have passed over the newspaper war, so he omitted both. His slavish successors have done the same.

There is still another way to measure the public attitude toward the Vigilantes, and that is to examine the Vigilantes' attitude toward the public. The only man of the original group of leaders who derived great political profit from his Vigilante work was Col. W. F. Sanders, and he was a special case. Sanders was best known to the people as the prosecutor of Ives, an action which preceded organized Vigilante activity in Montana. The trial of Ives was of the old-fashioned sort, a real miners' meeting. Sanders had no formal organization to defend him at the time, and it was his personal bravery under harrowing circumstances which paid political dividends later. Other members minimized their Vigilante connections. They did so at a time when a universal rage for public office incited the host of candidates to boast of anything which had the effect of setting them apart as bold leaders of men. If the ex-Vigilantes did not choose to run on their record as public benefactors, was it because Vigilante activity was not as popular as Dimsdale-Langford suggest?³⁴

In closing I wish to call attention to several other aspects of Vigilante behavior which need more study than they have received. I will not have been the first to suggest that there may have been some connection between the politics of

the Vigilantes and their standing with both the criminal class and the public at large. Dimsdale, Bancroft, Langford, and other early historians speak as though most of the Montana roughs were Southerners and perhaps Secessionists.³⁵ The principal Vigilantes, on the other hand, seem to have been mostly Unionists.³⁶ While it would be too much to say that the Vigilantes ever hanged anybody for political reasons, unless in the case of Daniels, it is conceivable that the sympathy given to some of the accused men by non-Vigilantes sprang from a common political sentiment. If true, it would help to explain why some men never became Vigilantes. It would also tend to justify the mistrust of popular juries by the Vigilantes.

The political question has many ramifications. Leeson has a statement to the effect that the Vigilantes once warned Governor Edgerton that they would "resume the actual government of the Territory" if he did not conduct an election according to their wishes.³⁷ Sanders denied the episode flatly, but Leeson often had good sources for his stories. An unbiased journalist of wide experience visited Montana in 1865, and after describing the Territorial government which supposedly ran things there he said: "Actually the power has vested in the 'Vigilantes,' a secret tribunal of citizens, organized before civil laws were framed, when robberies and cold-blooded murders were of daily occurrence."³⁸ The journalist was on good terms with the Vigilantes and apparently wrote these words as a simple matter of fact, obvious to all.

I am still treading where others have trod when I assert that a little research might show a similar connection between the Freemasons and the Vigilantes. From a suggestive chapter in Langford it has long been suspected that the Masons spon-

³⁴ *Ibid.*, p. 712. Also described in Gard, *Frontier Justice*, p. 186. An uncritical and laudatory account written by an impressionable boy is presented by David Hilger in his "Vigilante Trail and Execution," *Rocky Mountain Magazine* (April, 1901), 2:632-36.

³⁵ *Daily Rocky Mountain Gazette*, January 18, 1870; *Helena Daily Herald*, January 25; *Daily Rocky Mountain Gazette*, January 26; *Helena Daily Herald*, January 26; *Daily Rocky Mountain Gazette*, January 27; *Ibid.*, January 28; *Helena Daily Herald*, January 31; *Daily Rocky Mountain Gazette*, January 29; *Ibid.*, February 1; *Ibid.*, February 2; *Ibid.*, February 4.

³⁶ Again, the contrast with Idaho is interesting. The cautious and methodical William J. McConnell, leader of the famous Payette organization, was elected governor and U. S. senator by his state. Like Beidler of Montana he was first rewarded for his Vigilante service with an appointment as deputy U. S. marshal, but there the parallel ends. Beidler had a coarse strain and did not shrink at bloodshed. McConnell avoided violence at all costs, a fact which sets him and his group apart from their Montana counterparts. In the later days of the Virginia City Vigilantes there was some kind of a *liaison* with McConnell's people, but I gather that it did not last long:—McConnell, *Frontier Law*, p. 202.

³⁷ Donald L. Sorte, a graduate student in history at Montana State University, has made a brief check of road agents whose names are known, and if his findings are correct these men were mostly from non-Southern states. The conclusion is tentative. Possibly other criminals punished later by the Vigilantes were of Southern extraction.

³⁸ Sorte's material seems to bear this out.

³⁹ *History of Montana*, p. 242.

⁴⁰ Albert D. Richardson, *Beyond the Mississippi* (Hartford: American Publishing Co. 1867), p. 487.

sored the Vigilantes in Montana and carried the movement to success. The official spokesman for the order has held otherwise, however, although he identified eleven of the original twelve Vigilantes as members. "This fact," he said, "is significant to this extent only: the Masons knew they could trust each other and consequently they took counsel of each other and acted in conjunction . . . I do not think it occurred to any one at that time that anybody was active in the work because he was or because he was not a Mason."³⁹ Henry Plummer had doubts on this point, and so do I. The Masonic order in Montana was an offshoot of the Northern branches of the organization and was probably loyal to the Union.⁴⁰ A considerable number of miners were Roman Catholics as well as Democrats, and the inharmonious relationship between the church and the fraternity is too well known to require further discussion here. The Masonic order may thus have served to reinforce other prejudices which caused the Vigilantes to act as they did. Furthermore, I am pretty well convinced that the ceremonial character of Freemasonry, as well as the traditions of the California Vigilante movement, inspired the forms adopted by the Vigilantes. These considerations do not prove Callaway wrong, of course, but they temper his reasoning somewhat.

While reading accounts of Vigilante activity in the West I have often been im-

³⁹ Judge Lew L. Callaway in *Gould's History of Freemasonry Throughout the World*, edited by Dudley Wright (NY: Charles Scribner's Sons, 1936), V, p. 396.

⁴⁰ Most of the lodges had a Kansas heritage. Others came from Kansas via Colorado:—*Ibid.*, p. 396. Of course, Southern lodges had difficulty in spreading to the West during the Civil War.

⁴¹ Congress finally admitted its responsibility for building places of detention and erected Territorial penitentiaries all over the West. Seldom were they constructed soon enough. The earlier Territories were even more shabbily treated:—"Resolution No. 19," March 4, 1841, *Act and Resolutions of the Legislative Council of the Territory of Florida* [19th sess., 1841] (Tallahassee: C. E. Bartlett, 1841), p. 70.

⁴² Walter Prescott Webb, "The American West, Perpetual Mirage," *Harper's Magazine* (May, 1957), 214:25-31; "The West and the Desert," *Montana, the Magazine of Western History* (Winter, 1958), 8:2-12. My essay was written before I read "Their Majesties the Mob," by John W. Caughey [*Pacific Historical Review*, XXVI (August, 1957), pp. 217-34]. It appears that my conclusions agree with his on all points, although he was not especially concerned with Montana.

pressed by the importance of taxation as a factor responsible for the poor support given to the regular courts and magistrates. Bancroft admits that men were sometimes hanged as a substitute for trying and punishing them at the public expense. Dimsdale-Langford allude to the same attitude in Montana. There was nothing to prevent the miners from taxing themselves sufficiently to provide a fund from which a large police force, a strong jail, and a reasonably well paid judiciary might have been supported—nothing but their dislike of taxes. I find myself wondering whether those who might otherwise have denounced the Vigilantes remained quiet rather than pay out money for a better system of law enforcement.⁴¹

In the course of my critique I have refrained from citing relevant passages in the books of Dimsdale and Langford as support for my assertions and suspicions in order that you, the reader, might study these works and draw your own conclusions on the basis of the whole record and not just parts of it. I probably ought to add that I arrived at my present position on the strength of my reading of these two books alone, and turned to other evidence merely out of curiosity, never doubting what I would find there. I have introduced some of this outside evidence because I feared that without it my conclusions would seem incredible to those who have read Dimsdale-Langford in the traditional manner. Additional material in my possession reinforces my feelings on these matters, but as this material will eventually be published by others I will not anticipate what they have to say. My motive in writing this little study was to stimulate critical thinking about a phase of our history which has been treated superficially by the popular writers, the ones most people read. When Professor Webb recently implied that the history of the Far West was hardly worth writing, I had to disagree with him, but had he said that it was hardly worth reading on the basis of what we find in the bookstores today, I must have supported him fully.⁴²



NO NIGHT,

This rare interior photo of the retreat lodge was taken as the Mink Woman donned her animal-skins for the final Medicine Lodge rites.

NO DEATH,

NO WINTER

PHOTOGRAPHED AND WRITTEN BY GLENN E. BUNNELL

**A PICTURE STORY OF WHAT MAY WELL BE THE LAST MEDICINE LODGE
CEREMONY OF THE GREAT BLACKFEET TRIBE**

SPRING 1958

21



The South Piegiens of the Blackfeet Nation, like most of the North American Indians are now Christians. But in times of stress they may occasionally revert to the ancient Sun worship of their ancestors. In July of 1956, for the first time in five years, members of the Blackfeet confederacy conducted a medicine lodge ceremony, one of the most holy rituals of the worship of the Sun God. This ceremony, it was believed, would be the last authentic ritual of its kind, since very few of the living full-blood Blackfeet know how to conduct the week-long ceremony.

The medicine lodge of two summers ago was carried out as the result of a solemn promise made the previous winter during the serious illness of a grandson of the medicine woman, Mrs. Maggie Swimsunder (the Mink Woman). The promise, made in a prayer to the ancient Sun God of the Indians, was carried out at Heart Butte, Montana, in return for the recovery of the grandson.

With consent of the full-bloods of the tribe the date for the rites was set and on the appointed day Indians, from all parts of the Blackfeet reservation, including



Focal point during the Medicine Woman's fast was the retreat lodge, right foreground. The larger lodge, center, with leaves at base, was the main lodge during the four-day fast period.

representatives of the North Piegiens from Canada, gathered at the camp site near Heart Butte, a tiny settlement nestled at the foot of the majestic Rockies.

The start of the ritual is preceded by prayers and the purification of the medicine woman and her attendants in the sacred sweat lodge. Even this tiny lodge is constructed according to ancient tradition of a certain number of bent willows.

Then begins the medicine woman's fast of four days and four nights during which time she takes no food, and only a few drops of water are placed on her tongue at sunrise and sunset by her attendants. During the fast the holy woman maintains complete silence and only the sound of ancient prayers in the Blackfeet tongue and the muffled voices of the attendants can be heard in the retreat lodge.

On the final morning of the fast, chosen warriors of the tribe, together with the medicine men go into the woods to cut down the medicine pole, which will form the center of the medicine lodge. The pole is cut, after careful selection and a great deal of ceremony, prayers and chants and the smoking of the medicine pipe.

The tree when finally cut is hauled to camp under armed escort. In 1956, for the first time, the braves were mostly younger men, who had earned their right to be called warriors in battles of World War II and in Korea.

The sacred tree is hauled in a complete circle of the camp in the center of which the frame work of the medicine lodge is waiting. Once the pole is in place, ready to be raised, the action shifts to the tepee of the medicine woman, where she is completing her fast and robing herself in ancient skin garments.

Before she makes her appearance the medicine men and drummers gather outside to chant. A procession formed by the medicine men escorts the holy woman in a complete circle of the waiting medicine lodge, and finally she takes her place in a small tepee facing the medicine lodge.

It is at this point that she breaks her fast. She first eats a portion of calf tongue (formerly buffalo) which has been blessed and cured according to the rites handed down for hundreds of years. After the medicine woman eats of the tongue, pieces of it are passed to other members of the tribe; in much the same manner and with a meaning similar to passing the host or taking communion in our Christian churches.

The next step in the ritual is the spreading out of the skin of the calf from which the tongue was taken. Around this hide the Indian braves gather to relate war experiences and to tell of their deeds in battle. After each brave has made his speech he cuts a strip from the hide with a sharp knife, and these strips are used to lash the poles of the medicine lodge together. If a brave has told a lie in his recital of deeds, it is believed he will cut or wound himself as he cuts a strip from the hide.

When the hide cutting is completed the medicine bundle is lashed into the fork of the medicine pole, which is then raised in the center of the lodge. When erect the pole with its medicine bundle has an appearance very similar to that of a cross, and the meaning is very much the same for the Sun worshippers.

When the medicine pole is in place and the other poles lashed to it forming the

On the final morning, Medicine Men are bringing in the Medicine Pole, selected and cut with much ceremony, in the mountains nearby. It is hauled back under armed guard, extreme left and right of photo.

Mr. Bunnell is an amateur historian, particularly interested in the Plains Indians. At the time this article was done he was living on the Blackfeet Reservation, at Cut Bank, Montana. He now resides at Sterling, Colorado.



Adjoining the various lodges is the huge frame-work of the Medicine Lodge, prior to the time of the raising of the dominant center pole. At extreme left and right are old Medicine Lodge poles from previous ceremonies. The climactic culmination takes place here.

roof of the lodge, the entire frame and roof are covered with freshly cut boughs of trees to complete the ceremonial lodge.

The erection of the medicine lodge, completed at sunset, brings to a close the day's ritual. On the following day the medicine dance is held in the lodge. This dance completes the medicine promise, which in this case was made when asking the Sun God to cure the medicine woman's grandson.

After the encampment breaks up, the lodge except for the medicine pole, is torn down. The pole is allowed to remain until it comes down from natural causes. Several such poles—some quite old—may be seen in the camp area near Heart Butte from past medicine lodge ceremonies.

While the general opinion of Indian leaders was that it was no doubt the last medicine lodge, some still hold to the belief that if the need arose, another would



Here, left, on the final day, are some of the ceremonial principals. (From left to right) Last Star, White Calf, Eagle Ribs, Mary Buffalo Hide, Mrs. Bull Plume and Cecile Last Star. They have gathered near the retreat lodge to chant ritual songs before the procession forms for the Medicine Lodge Dance area.

Right, the Medicine Woman makes her dramatic final entry into the Medicine Lodge enclosure, on the arm of her chief attendant, Maggie Found-a-Gun (Reevis; while Jim White Calf left, chants over medicine pole at his feet.



The procession moves from the fast area of the retreat lodge toward the Medicine Lodge circle. Leading is the grandson of the Medicine Woman (for whose recovery the ceremony was staged). His face has been blackened, he is robed in black and his hair is done in a knot to symbolize a crow.

be erected. Old age, however, is fast taking its toll of the tribal elders, who could carry out the ceremony. The 1956 medicine woman was 82, while Fish Wolf Robe, also in his eighties and Jim White Calf, eldest full-blood of the tribe, were not expected to live long enough to take part in another such ceremony. And there are few if any members of the tribe who could take their places in carrying out the lengthy ritual.

According to Yellow Wolf, a Blackfeet elder tribesman, the Sun worship belief is this: "The soul goes to the Sun where there is no night, no death, never any winter."

* * *

This is the frame-work of the now forgotten sacred sweat lodge, topped by its buffalo skull and medicine stick. It was here that the purification baths and rites for the Medicine Woman and her attendants were performed the first day to start the fast.





Joseph and Mrs. Dussome at their Zortman home, May, 1957.

Waiting For A Day That Never Comes

By Verne Dusenberry

PHOTOGRAPHS ARE BY THE AUTHOR.

In the tiny gold-mining town of Zortman, Montana, lives a quiet, scholarly, graying man. He is Joseph Dussome, president of the Landless Indians of Montana. For nearly half a century, he has been collecting data and assembling material pertinent to the bands of "wandering Cree and Chippewa" that have too often, during the past 70 years, plagued the conscience of Montanans and North Dakotans. Now, in his old age, Dussome sits in his small, neatly-kept home and pores over his collection of evidence. He has documents, he has a vast file of letters, he has his memories. He knows better than any other person—for he is one of them—who these people are who now reside in the State of Montana and who number, conservatively, at least 4,000 displaced, disenchanted individuals. While these people insist upon being called Chippewa, perhaps to escape the scorn with which reservation Indians refer to them as "Cree," or as "bon jours," or "bon hommes from Lake La Biche," Dussome can point out to an interested visitor that these people are part of the Metis, descendants of the Red River Hunters who lived not only in Canada, but also across the border in what is now Michigan, Wisconsin, Minnesota, North Dakota, and Montana.

To understand the Indians in Montana who are unaffiliated with any established reservations, it is necessary to go back to the early French colonization of North America. For it is from these early explorers that one finds the progenitors of the landless Indians. Even the surnames are the same, since the French encouraged their men to marry Indian women. These mixed-blood descendants, at first concentrated along the Great Lakes, scattered throughout the Northwestern states and Canada, but maintained their greatest numbers along the Red River of the North which has its source in North Dakota and Minnesota, forming the boundary between much of those states, but which flows north into Lake Winnipeg and ultimately into Hudson's Bay. And so it is that these people living in Montana today, whose ancestry was predominantly a non-native tribe—Chippewa, trace their ancestry back to the Red River settlements, especially to those on the American side of the now established forty-ninth parallel

The tragic story of the dispossessed Metis of Montana

"Too bad the Indians are not the lineal and direct descendants of Methuselah and inherit his longevity, coupled with the patience of Job, that they might live to see some of the just obligations, established by precedent and treaty stipulation, fulfilled by the government."

—Written by John W. Cramsie, U. S. Indian Agent for the Turtle Mountain Indians, in 1886.

that forms the international boundary between Canada and the United States.

These people, now known generally as "The Landless Indians," have had various names—half-breeds, *bois-brule*, and Metis. The frontier English and the Americans referred to them chiefly as "half-breeds," while the French occasionally designated them "*bois-brule*" (burnt wood) from the translation of the Chippewa appellation for them, *Wisahkotewan Niniwak*, meaning "men partly burned." This name had been given them by the Chippewa because of the color of their skin—dark, but not quite as dark as that of the pure Indian. More frequently, however, the early French referred to them as the Metis, a French adjective meaning cross-bred.

Perhaps the word Metis is the best for them, for their degree of Indian blood was seldom fixed at exactly one-half. The child of an Indian mother and a French father would be a half-blood, but when that offspring reached maturity, he might marry either a fullblood Indian or a full-blood Caucasian. Thus as the years went by, and intermarrying continued, the individual could possibly become almost pure Indian or pure white. So, too, did the blood become mixed between Indians of various tribes. For while in Canada it was the Cree with whom the Frenchman usually married, in the United States it was the Chippewa. Thus there emerged, along the Red River particularly, a group of people who were neither Indian nor white; neither Chippewa nor Cree nor French, but a mixture of all three. They

represented, as Joseph Kinsey Howard pointed out,¹ the emergence of a new race indigenous to this continent.

And in this emergence as a new people, they adapted various traits from their French fathers and their Indian mothers. For their livelihood they depended primarily upon the buffalo, as did their Indian forebears. But unlike their Indian grandparents, the hunt stemmed from the Red River settlements, where they returned each fall with pemmican (for which they became famous), to be sold or traded to the Hudson's Bay Company for other food items to be consumed during the winter months. Their transportation was not confined to the horse alone, as was the Indian's, for their distinguishing characteristic was the Half-Breed Cart, a unique invention of their own, made entirely of wood. Its wheels, oftentimes six feet in diameter, had very broad tires; while a small body rested on the axle and shafts. Each cart, drawn by a single pony, could carry from 600 to 800 pounds. Since no grease was used on the axle, the noise made by these carts was almost insufferable. Almost every Northern Plains historical writer has attempted to describe the horrible screeching that a train of such carts made; but probably none has been presented more graphically than did Joseph Kinsey Howard when he said, "it was as if a thousand finger nails were drawn across a thousand panes of glass." Later, when metal was used in their construction and the wheels could be greased, the Metis generally called their vehicles Red River Carts. In either case, however, the cart served a dual purpose. In the long winters, a man would lift the body easily from the wheels, hitch a horse to it, and have a *carriole* or sleigh.

¹ Joseph Kinsey Howard's remarkable book, *Strange Empire*, William Morrow & Co., N. Y. 1952.

A professor at Montana State College, Mr. Dusenberry has gained an enviable reputation for a series of significant sociological-historical monographs for this magazine, of which this brilliant piece is the latest.

The housing of the Metis was copied directly from their fathers. In the settlements, they lived in one-story houses, often gaudily painted. While on the plains hunting, they used tents. Frequently, however, their hunts took them far to the west, particularly along the Milk River in Montana, and since the distance was too great for them to return to the Red River but occasionally, the Metis built frontier cabins, generally of cottonwood there. They plastered the interior with clay mixed with buffalo hair, and, in one end of the building, they always built a fire place, likewise cemented with clay. Scraped skins of buffalo calves, carefully worked until they were translucent, covered the windows. Floors were left bare. Just as their Indian antecedents placed their tipis in a circle, so did the Metis build cabins, but in the center of the enclosure they built a large structure with puncheon floors.

These larger buildings were primarily used for dancing, since the Metis had inherited the Indian's love of the dance. But, instead of using the dance as a medium of religious expression, the Metis danced for sheer pleasure. Nor was the music that of the primitive drum; rather, it was the fiddle, sometimes a genuine one but more frequently one made from a hollow piece of wood with cat-gut strings attached. The tunes were generally adaptations of old French folk songs while the dance itself was a lively number which in time became known as the "Red River jig."²

The dress of the Metis, too, was a blend of both Indian and French. The men usually wore an overcoat with a hood made from a blanket and adorned with brass buttons, scallops, fringes, and beads. Known as a *capote*, it combined the warmth of the heavy, all-wool blanket with the tailored quality of a coat. (Its present counterpart, but generally shorter

in length, is the parka.) In warmer weather, the men wore fringed jackets made from buckskin but always they had leggings. These again were made from a blanket and were fringed with a seam of bead work embroidered along the outside.³ The women wore black dresses, simply made. During their girlhood they had gaily-colored shawls; in adult life the shawl was always black.

From the influence of their French fathers, the Metis devoutly followed the teachings of the Roman Catholic Church. So devoted to their Church were they that as a matter of general practice they seldom embarked upon a hunt without having a priest accompany them. When they stayed away from the settlements over a long period of time, they observed Sunday with recitations of the rosary and with prayers. Wandering Jesuit and Oblate missionaries looked for them on the plains, and when finding them conducted open-air services, baptized infants, and blessed marriages. In fact, the Church adopted the policy of recognizing mar-

² Here are sample entries:

"1855. The 23 Oct. of, the undersigned travelling missionary of Oregon during a trip to Ft. Benton in Nebraska Territory baptized the following half breeds whose parents are chiefly Canadians attached to the trading post. Rev. James Croke, S. J.

Suequet Antoine, age 1 year, son of Charles Suequet and Mary of the Bloods. The sponsor was Antoine Burdon.

Moran Charles, 1 year old, born to Charles Moran and a Blood woman. The Godfather was Simon Copineau."

"April 25, 1860, I, Adrian Hoecken, S. J. baptized: Champagne Teresa Marie, daughter of Baptiste Champagne, Metis, and Pauline Agkipian. Born in the month of September, 1859.

Lespera Margaret, daughter to Joseph L'espera, a metis de la Rivere Rouge, and Siwaka. Born 20 January, 1860. The sponsor was Cadotte."

"Die 25 Marii 1879, Ego C. Imoda, S. J., in missione St. Petri coram hibito consensum pervenire praesenti solemniter matrimonio conjuncti Franciscum Xaverium LaPierre filiam Antonii et Caterintie LaPierre—et Mariam Rosam Swan, filiam Jacobi sr. et Maria Swan. Tests fuerunt Frances LaPierre et Paulus Nomee."

"The 25 of March, 1879, I, C. Imoda, S. J. in the Mission of St. Peter, having been presented with their mutual consent, solemnized the marriage joining Francois Xavier LaPierre, son of Antoine and Catherine LaPierre, and Mary Rose Swan, daughter of James, Sr., and Marie Swan. The witnesses were Frank LaPierre and Paul Nomee."

For this information I gratefully acknowledge the assistance given me by one of my students, Joseph D. Marion, Jr., whose acquaintanceship with the Metis and their problems is unequalled by any other person in Montana.

² For much of this information, I am indebted to Mrs. Joseph Dussome, Zortman, Montana, for personal interviews.

³ For an excellent early description of the Metis see "The French Half Breeds of the Northwest," by V. Havard, M.D. *Annual Report of the Smithsonian Institution for the Year 1879*. (Washington: Government Printing Office, 1880). 309-327.

riages as being legitimate when they were contracted away from the settlements, providing such marriages were later blessed by the priests. One of the best sources about the Metis may be found in the parish registers of the early missions in Montana, where, as early as the 1850's, Jesuit priests such as Fathers DeSmet, Croke, Imoda, and Hoeken recorded baptisms, marriages and deaths of the Metis.¹

The Metis also developed a language of their own—a composite of Indian tongues, usually Cree and Chippewa, and French. Often a few English words were added. Yet, while most of them understood English, few of them ever used it. The French they spoke was an obsolete form drawn primarily from the patois of Normandy and Picardy.² A Frenchman usually could understand them; but the Metis, in turn, had difficulty understanding correct French. So it was with Indian languages such as the Cree. Mrs. Dussome, for example, nurtured on the Metis tongue, understands only isolated words of Cree as spoken on Rocky Boy's reservation today.

Their political structure was a blend, again, of Indian and French. Strictly democratic, like the Indian, restraint seemed needed principally when the Metis were on the hunt. Then, the entire group was under the control of the soldier society, known among themselves as *Les Soldats*, who executed the orders of the chief. Both the chief and the members of the soldier society were elected by the people themselves. Punishments, such as banishment from the hunt or the payment of fines, resulted if individuals refused to obey orders. Generally, the chief was known as *governor*, a title they borrowed from the French. Jean Baptiste Wilkie was an outstanding governor of the early-day Metis.³

While the geographical heart of this new race seems to have been along the Red River near present-day Winnipeg, Canada, and Pembina, North Dakota, not

all of them, by any manner of means, lived in Canada. True, the majority of the French-Cree descendants lived there. On the American side of the line a goodly number also lived—those who were related a little closer to the Chippewa. Their center was Pembina, established as a trading center in 1780, a factor which gives it the distinction of being the oldest settlement in the Northwest. Pembina exists now, a drab, tiny village at that spot on the map where North Dakota and Minnesota come together at the Canadian border. With Pembina as their headquarters, the southern Metis enjoyed, particularly, the hunting resources of the Turtle Mountains, some one hundred miles to the west, in mid-North Dakota, just south of the Canadian line. For their long-range hunting activities, however, they moved constantly westward in their pursuit of the buffalo—along the Missouri River and its tributaries, particularly to the Milk, but often west and south again to the valleys of the Teton, the Dearborn, the Sun, and the Marias Rivers. In 1842, Alexander Ross, when he accompanied the hunters, tells of being at the mouth of the Yellowstone. In his record,⁴ Ross mentions the names of several Metis who were on the party—Wilkie, Valle, Courchene, and Parisien—all names familiar among these people in Montana today.

Individual members penetrated the now-Montana region, too, often serving as guides for the fur traders. One of them, Jacob Berger (often spelled Bergier or Bercier and always pronounced so by the Metis today) was in the employ of the American Fur Company in 1830. It was he whom Kenneth McKenzie, then in charge of Fort Union, sent into the Blackfeet country to induce the hostile tribe to trade with the American Fur Company. So successful was Berger (for he induced a number of the Blackfeet to accompany him to Fort Union) that the following year, McKenzie sent one of his most trustworthy men, James Kipp, to the Blackfeet country. Kipp established Fort Piegan at the mouth of the Marias River, near present-day Loma, Montana, to tap the rich resources of the Blackfeet trade. The largest and most influential fort operated

¹ Harvard, *op. cit.* 325.

² Personal Interview, John Barrows, Zortman, Montana, 9-14-57.

³ Alexander Ross, *The Red River Settlements*, (London: Smith, Edler and Co., 1856. Reprinted, Minneapolis: Ross and Haines, Inc., 1957.)



Fort Union, 1865, as photographed by A. J. Fisk.

on the Upper Missouri by the American Fur Company, Fort Union, was constructed by Metis laborers.⁸ Louis Revis, sometimes spelled Revais or Rivets, Augustin "Frenchy" Hamell, and Pierre Cadotte are other Metis names significant in the opening of the fur trade in what is now Montana.

But it was not only with the fur trade that the Metis came into Montana. As the years passed, more and more carts filled with Red River hunters came into the territory and settled in the regions where buffalo were always plentiful. In making this move, the Metis followed somewhat the pattern of their Indian heritage, a nomadic tendency to follow the source of their food. Unlike the Indian, they built cabins and stayed, sometimes for several years. Then, group by group, they returned to relatives and friends in the Pembina region, where after a succession of years of residence, they moved again to Montana. Thus it was that during the decades of the 1850's, 1860's, and 1870's, the creaking carts groaned their way back and forth between the little settlement of Pembina and the unspoiled valleys of Montana.

From old parish registers one learns the names of some Metis who were in Montana during this early period. Many of them remained along the Milk River; others went farther west. Along the tributaries of the Marias River, especially near Dupuyer Creek, the records reveal the names of Guardipee, Morrin, Lespera, Larion, and Trembles. Somewhat southward, near present Choteau, the Champagnes, Vivies, Ducharmes, Cardinals, and Moriceaus camped, while in the Sullivan Valley near St. Peter's Mission and

not far from the Dearborn River, Gabriel Azure, Modeste Gladeau, and members of the LaSerte and Cadotte families lived. When one of Montana's earliest cattlemen, R. S. Ford, established his holdings in 1872 on the upper reaches of the Sun River, near present Augusta, he employed Metis families that included such names as Sangrey, Jarvais, Landre, LaRance, Swan, Nomee, and Paul.⁹

Perhaps one of the best known settlements (for it became more permanent than did the others who so frequently left their cabins and returned to the Red River) is the one at present Lewistown in central Montana. A group of Metis left the Pembina district in 1870 and headed westward with no particular destination in mind save that of trailing the buffalo. One of the members of the group described facets of that expedition well when she wrote, shortly before her death in Lewistown in 1943, the following account:¹⁰

While we roamed the prairies of western Minnesota and the Dakotas, we were always in the same company of people of part Indian blood, and travelled in many groups. We left Walhalla, North Dakota, in 1870 shortly after we were married, and set out travelling all over the Dakotas, just camping here and there without thought of settling permanently at any place, just following the buffalo trails. You might think we lived the life of the real Indians, but one thing we had always with us which they did not—religion. Every night we had prayer meeting and just before a buffalo hunt we would see our men on bended knee in prayer. Our men did all the hunting, and we women did all the tanning of the buffalo hides, jerky meat making, pemmican and moccasins. For other supplies, we generally had some trader with us like Francis Janeaux who always had a supply of tea, sugar, tobacco and so on.

Leisurely, the party made its way across North Dakota and followed the Milk River westward into Montana. For nearly seven years the group camped at the big bend of the Milk, northeast of present Malta.

⁸ J. M. Hamilton, *From Wilderness to Statehood*, (Portland: Binford & Mort, 1957) 83.

⁹ Joseph Marino gave me these family names from his notes concerning the movements of the early-day Metis.

¹⁰ Obituary of Clemence Gourneau Berger, Lewistown *Democrat-News* December 31, 1943.

In 1877, they were living at Chinook when Joseph surrendered his army at the Bear Paw battlefield south of that city. They assisted some Nez Perce stragglers who had eluded capture and were making their way to Canada. Along the Milk River the men hunted, but game became increasingly scarce until suddenly, in the spring of 1879, it seemed to have disappeared completely. Pierre Berger, leader of the group, called the members around him to discuss the situation. He recalled that previously a Cree Indian had told him of a spot across the Missouri River where small game and wild birds were abundant and where the grass grew high. The land sounded promising, so in May, 1879, twenty-five families left the familiar Milk River area in their squeaking carts and started for this new region. As it was necessary for them to go by way of Fort Benton and then eastward until they came to the Judith Mountains, it took most of the summer for the group to make the journey.

Here at their destination, the Judith Basin looked fertile and inviting. Berger decided that this area would provide an excellent home site. The twenty-five families built cabins and hurriedly made preparations for the approaching winter. True to the description given by the Cree, game was plentiful. So, during the decade of the 1880's (and at a time when the Metis who remained behind in their accustomed haunts around the Turtle Mountains were starving) the Spring Creek colony flourished. Soon Janeaux established a trading post for them; in time other establishments sprang up, and a colorful Montana frontier village, destined later to become Lewistown, was born.¹¹ Early Metis occupancy is reflected in the names of two Lewistown streets, Morasse and Oullette Avenues, while Janeaux Street bears the name of their trader.

In 1869, while Montana Territory was being colonized by Red River hunters—at least on a temporary basis—an historical incident occurred that left its mark upon the landless Indians of Montana. It has been a prime cause of confusion about them ever since. When the Hudson's Bay Company relinquished its char-



Gabriel Asure, an early leader of the Montana Metis, from an ancient photo loaned by his grandson of Zortman.

ter to Rupert's Land (which comprised all of the prairie provinces of Canada as well as the Northwest territories) and the Dominion of Canada was formed, the Metis in the Red River settlements became dissatisfied. Finally, in 1869, they established a provisional government, a land they called Assiniboia—now Manitoba. Louis Riel, that remarkable Metis, was their leader. When the British successfully overcame the Metis government, Riel and many of his mixed-blood followers went to the United States. Riel himself eventually came to Montana Territory becoming a naturalized citizen of the United States, at Helena, in 1883.¹² A few years later, the Metis who in the meantime had moved into Saskatchewan, became dissatisfied with the land policy of the newly-formed province and again revolted against the Canadian government. Louis Riel was called upon to return to Canada and lead them. Their military leader,

¹¹ Personal Interview, Mrs. Elizabeth Swan, a granddaughter of Pierre Berger and a resident of Lewistown. 9-18-56.

¹² For the complete and beautifully written story of the Metis in Canada and of the Riel uprisings, see J. K. Howard's *Strange Empire*, *op. cit.*



Gabriel Dumont, military leader of the Canadian Metis. After the Riel Rebellion, in 1885 he brought a number of orphaned boys to Montana.

Gabriel Dumont, came from Saskatchewan to St. Peter's Mission, near Cascade, Montana, to convince Riel that he should leave his teaching at the mission and return to Canada to head the revolt. The year was 1885. When the British army crushed this second rebellion, more Metis than ever came to the United States, particularly to Montana Territory. Riel, however, was captured by the British, tried for treason, and subsequently hanged in Regina. Gabriel Dumont lived for many years in the Lewistown area, particularly near Grass Range where he brought several boys orphaned by the Rebellion to his childless home, but later he returned to Canada, where he died.

No one knows the exact number of the Canadian Metis who came to the United States following the two uprisings. They were of Cree extraction but reared in a cultural pattern much like the Chippewa Metis who had lived south of the International border for centuries. Their loyalties were with the Cree who had joined them in the 1885 rebellion. (Some of these Cree came to Montana, were granted political amnesty, and ultimately were placed on Rocky Boy's reservation.)¹³ These Canadian Metis, however,

have been the cloud that has obscured the American Metis ever since, for it has been easy to dismiss any mixed-blood Indian, especially one with a French name, as being Canadian. Thus the fiction grew until all Metis were lumped together as Canadian Cree. True, the groups have intermarried, but available evidence indicates that the majority of the landless Indians of Montana today are from the Pembina region—an area which has belonged to the United States since 1818. Hence it is that one must go to Pembina to establish the actual citizenship of the American Metis.

The United States Census of 1850 for the Pembina district, Minnesota Territory, gives the names, ages, sexes, occupations, and birthplaces of the 1,116 residents of the area.¹⁴ Reading the list today one recognizes the names of Montana citizenry. Only a random sampling of names indicate their familiarity—Azure, Batock, Beautinau, Belgarde, Bellgard, Berger, Bushman, Cadotte, Caplette, Cardinal, Collins, Delorme, Demon, Falcon, Filcon, Fion, Gardipin, Gingrais, Gladau, Grandbois, Houl, Jerome, LaPierre, Laframbois, Landrie, Landy, LaRock, LaRocque, Laurente, Laverdue, Lonais, Monisette, Montoir, Montreau, Morin, Morrin, Nedeau, Papin, Pappin, Paranteau, Parente, Parisen, Peltier, Plouffe, St. Pierre, Trotter, Trottier, Valier, Valle, Vandall, Vivian, Wells, Wilkie.

Along with the Metis in the Pembina area, there lived a small group of Chippewa—probably the farthestmost western Chippewa group. Many of them had probably intermarried with the Cree; some of them had French grandparents in their ancestry, while most of them had definite relatives among the American Metis. Like all the other Chippewa, they had at some time or other occupied regions on both sides of the International Boundary. This small band, however, claimed for their area the land lying north of Devil's Lake in North Dakota, a region that included

¹³ An account of the trouble the Cree had in securing Rocky Boy's reservation appears in "The Rocky Boy Indians," by Verne Dusenberry, *Montana Magazine of History*, Winter, 1954.

¹⁴ *Collections of the State Historical Society of North Dakota*. (Bismarck: Tribune State Printers and Binders, 1906) I, 384-405.

the Turtle Mountains. Their recognized chief and spokesman had been named Little Shell for three generations—grandfather, father and son. When the time came for the American Metis to face the reality that they were Indians, because of the growing demands of the white settlers, it was Little Shell's band to whom they went. By proximity and by marriage they were closely related. Furthermore, since the United States Government consistently recognized the Chippewa as an American tribe and effected treaties with them, the Metis felt that since they, too, were now considered Indians, their rights were as significant as were those of their maternal ancestors.

The United States Government designated this small Chippewa group in North Dakota as the "Pembina band." The first treaty with them occurred in 1863 when Alexander Ramsey went to Red Lake, in northern Minnesota, to meet a large delegation in that area. Representatives from the Pembina band and Metis were present, also, and while a right of way was ceded through their territory, Ramsey wrote that "The Pembina Band, who subsist by buffalo hunting, also retain for themselves a tract of country claimed by them, embracing some of the favorite pastures of that animal north and northwest of Devil's Lake."¹⁵ They were, moreover, to receive an annuity of \$20,000 per annum for twenty years, with one-fourth of it to be applied to agricultural and other beneficial purposes.

During the next twenty years, irritations mounted. The Pembina band of Chippewa seemed too far away to receive much supervision from the U. S. Indian agents. The Metis straggled away into Montana, again, to follow the buffalo or to find other subsistence as best they could. When, in the early 1880's, the buffalo disappeared, the Pembina band of Chippewa and their mixed-blood relatives began to press strongly their claims upon Washington. Despite the warning of the then Commissioner of Indian Affairs, H. Price, who maintained that the group had as good a title to their land as had any Indians in North America, the government, on October 4,

1882, officially opened nine million acres—the land claimed by the Pembina band—to white settlement. At the same time, two townships, in the southeastern part of the Turtle Mountains, were retained and by an executive order became a permanent reservation. Two years later, John W. Cramsie, Indian agent at Devil's Lake Agency, wrote the Commissioner and told him that 31 Chippewas and 1,200 mixed bloods were living on the newly-created reservation. Prophetically, he added:¹⁶

If poverty and ignorance in abject form is to be found in this world, I know of no better place to seek it than among the half breeds of the Turtle Mountains. With but few exceptions, the half breeds have lived on the buffalo all their lives, and now that their means of subsistence have all disappeared, I cannot tell how they are to make a living without assistance. Fifty thousand dollars worth of stock and farming implements would hardly supply their wants, and without it they will starve or be compelled to steal. Unless generous aid and instruction are furnished these people, the near future will see our jails and penitentiaries filled to overflowing with their prolific rising generation.

Despite their increasingly destitute condition, the Chippewa and the Metis remained relatively quiet during these years. A sub-agent, E. W. Brenner, reported in 1883, that they did not wish to do anything to endanger their friendship with the government while their affairs were pending. "A great danger," he wrote, "is from the mixed bloods living away from the reservation. Many are entitled by blood to the same treatment as those residing here, and in many cases have even better claims than many of the residents."¹⁷ The question, however, of who was an Indian, especially a Turtle Mountain Indian—as the group was beginning to be known—was becoming more acute. It's the same question that has plagued the Metis continually—and unfortunately, still does.

Finally, on August 19, 1890, Congress authorized the President to appoint a commission of three persons to negotiate with

¹⁵ *Senate Documents 154*, 55th Congress, 2d Session. 11.

¹⁶ *Report of the Commissioner of Indian Affairs for 1884*, 34-35.

¹⁷ *Report of the Commissioner of Indian Affairs for 1888*, 41.

these Indians for cessation and relinquishment of whatever right or interest they might have to their claim, and for their removal to a settlement upon lands to be selected subject to the approval of Congress. The Commission was charged also to determine the number of Chippewa and the number of mixed bloods that were entitled to the consideration of the government.

But the Commission did not come to the Turtle Mountains at once. The then current chief, Little Shell, like his half-breed relatives, had been forced to wander westward in order to find subsistence. From Wolf Point, Montana, on August 28, 1891, Little Shell wrote to the Commissioner of Indian Affairs and proposed an agreement whereby he would vacate the Turtle Mountain area in exchange for a reservation on the north side of the Missouri River above the mouth of the Milk. Since the Turtle Mountain lands seemed much more valuable to the white men, Little Shell believed that a cash settlement should be made to his people in addition to their securing a strip of land lying adjacent to the Fort Peck reservation. Commissioner Morgan disposed of the request with the statement that the land desired was part of the public domain and thus could not be given to Little Shell. Morgan did believe, however, that there was sufficient land on the Fort Peck reservation for the Little Shell group to live if they so desired.¹⁸

Perhaps in anticipation of the day that the Commission would arrive, the United States Indian Agent, John Waugh, appointed a committee of thirty-two men made up of sixteen full-blood Chippewa and sixteen Metis to represent the interest of their people in any transaction with the government in the adjustment of their claims. This committee was appointed in August, 1891, over a year and a half after the establishment of the Commission by Congress. Coincidentally, Waugh picked the committee during the same month that Little Shell and his party were on the Fort Peck reservation. To many of the Chippewa group, as well as to a goodly number of the Metis, the selection of a committee at this particular

time indicated that Agent Waugh wanted a hand-picked group with whom he could work without interference. Furthermore, Waugh selected five members from his committee of thirty-two to go over the list of eligible names, both Chippewa and Metis, and to delete those families or individuals who were not entitled to participate. As a result, 112 families, comprising 525 individuals were immediately stricken from the rolls.¹⁹

Finally, in September, 1892, the Commission arrived. It was composed of three members, headed by P. J. McCumber. The Commission met in session at the Turtle Mountain Indian Agency beginning September 21 and called for the standing committee's report. (This would be the report of the thirty-two men selected the year previously.) Since this report concerned itself primarily with eligible persons, Chief Little Shell and his assistant, Red Thunder, protested forcefully against the dropping of the names of many individuals. Little Shell first spoke to the Commission and pled for the consideration of people who had moved away, particularly for those who had gone to Montana because of dire need for food. Red Thunder succinctly summed up the situation by saying: "When you (the white man) first put your foot upon this land of ours you found no one but the red man and the Indian woman, by whom you have begotten a large family." Pointing to the Metis present, he added, "These are the children and descendants of that woman; they must be recognized as members of this tribe."²⁰ Firmly, the Commission Chairman told Little Shell that only the committee appointed by Agent Waugh would be heard, but that once the rolls were established, Little Shell might receive a copy of it. In disgust, Little Shell replied that his group would leave and that he would place his authority in the hands of his attorney, John Bottineau, a member of the tribe and a Metis.

On September 24, the Commission finished hearing the report of the committee and then published the roll of eligible

¹⁸ Senate Document 154, *op. cit.* 20.

¹⁹ Report of the Commissioner of Indian Affairs for 1892, 353.

²⁰ Senate Document 444, 56th Congress, 1st Session. 33-36.



In 1896 Congress, with bureaucratic zeal, ordered all Cree Indians be taken from Montana soil and shipped to their reservation. This was part of the cruel process photographed on Front Street in Havre, near the present Rocky Boy Reservation.

members. Instead of giving a copy to Bottineau, the roll was posted on the doors of the church. When Bottineau saw it, he was astounded at the number of people who had been dropped from the accepted group; and more flabbergasted, yet, when he received the following letter:²¹

U. S. Indian Service
Turtle Mountain Agency
October 15, 1892

John B. Bottineau, Esq.
Belcourt, North Dakota

Sir:

As per the enclosed you will observe that all persons except those mentioned in said notice are directed to withdraw from the limits of the reservation. I am instructed by the commission that in the matter of treaty for which a meeting has been called that they are instructed to deal directly with the people and will not recognize an attorney. Trusting that you will govern yourself in accordance with the directions of said notice, I remain,

Yours truly,
John Waugh,
U. S. Indian Agent,
Per E. W. Brenner,
Farmer in Charge.

The enclosure received by Bottineau was the same one that went to all Metis whose names were not on the rolls:

To Whom It May Concern:

Notice is hereby given to all parties who are not residents of the Turtle Mountain Reservation, or enrolled as members of the Turtle Mountain Band and accepted by the Commission now present as entitled to participate in any proceedings with the said Commissioners having in view the making of arrangements for a treaty, are hereby directed to withdraw from within the limits of the Turtle Mountain Reservation at once or be arrested.

John Waugh,
U. S. Indian Agent,
Per E. W. Brenner,
Farmer in Charge.

The Commission continued its deliberation with the committee and on October 22 announced its agreement. The Turtle Mountain band of Chippewa, including the Metis who were considered eligible members, agreed to withdraw all claim to the 9,500,000 acre tract of land in the region, except the two townships previously established as a reservation in

²¹ *Ibid.*, 41.

1882. For their withdrawal, the government promised to pay the tribe \$1,000,000. (Here is the basis for the description of the treaty that is so often given by the Metis of Montana when they mention the incident. The term, "ten-cent treaty," refers to the government's action in taking 9,500,000 acres of land for the sum of \$1,000,000.)

Little Shell was aghast. By this willful action his people's sole remaining resource was given away for a paltry sum. Moreover, he saw no logic, equity or reason in the arbitrary determination of persons "chosen" as constituted members of the Turtle Mountain band; for eligible members often had full brothers or sisters denied membership. Furthermore, he was incensed with what he thought to be the general high-handed tactics of the Commission. Immediately he announced repudiation of the treaty and called his council, *La Loge de Soldat*, together. On October 24, Chief Little Shell mailed a protest to Washington listing grievances. He reviewed carefully the regular method by which the Chippewa reached an agreement through its Council, to which neither the appointment nor the action of this committee conformed. He protested against the manner in which his attorney had been ordered off the reservation. And finally, he made specific charges against the Commission, the committee of thirty-two, and the Indian Agent, accusing all of coercion.²²

There is no evidence to indicate that Little Shell's protest was ever considered. A few weeks later, December 3, 1892, the Secretary of the Interior transmitted the agreement, as concluded by the Commission, to President Harrison, who in turn sent it to Congress for ratification.

Then came long years of waiting. Congress failed to ratify the treaty. The years that followed were marked by unrest and acrimony, both by Indians and whites. At least one committee of white citizenry appealed to Congress to settle the issue. More Indians had to move westward to try to find a livelihood in a land that was fast becoming settled; and even

the Government Indian agents were discouraged, frustrated and outraged by the long delay. Finally, on January 26, 1898, Chief Little Shell wrote to his attorney, John Bottineau, who was then in Washington trying to secure some kind of settlement, an impassioned letter:²³

Belcourt, N. D.

January 26, 1898

The chief, Little Shell here speaks: We are tired, fatigue since so long waiting for the settlement of our claims. Even though we are fatigue, we keep strong—firm—to stay by you and your efforts in our cause . . . In regard to the affairs and doings of the three commissioners—the ten-cent treaty commissioners—we are very much troubled in here about it; but I repeat to you here again . . . that I would never sign their affairs, the ten-cent treaty; I am all the same yet and now. My greatest fatigue is to see my people so poor and going hungry.

Little Shell, Chief
(his x mark)
Sasswein, Henri Poitrat
(his x mark)
Gaurin, Baptiste Champagne
(his x mark)
Bay-riss, Cuthbert Grant
(his x mark)

Written by John B. Reno, Secretary of the Council.

The years passed. More Metis moved west. Others came back to the Turtle Mountains to see what had happened during their absence. Despairingly, a sympathetic agent, F. O. Getchell, wrote to the Commissioner of Indian Affairs describing the reservation and its people:²⁴

Such is the place and such are nearly 2,000 of the people who are besieged in their mountain fastnesses by the peaceful army of the plow that has settled their erstwhile hunting grounds. Here they are held in worse than bondage while they are waiting, waiting, waiting for a settlement with the Government for the lands so settled by the plowman, waiting for a day that never comes, while their chances in the land that was their own is fading, fading away from them. God pity their patient waiting and appoint that it may not have been in vain.

²² *Ibid.*, 31-36.

²³ Senate Document 154, *op. cit.* 26.

²⁴ Report of the Commissioner of Indian Affairs for 1903, 228-229.

At long last, on April 21, 1904, nearly twelve years after the McCumber Commission presented its report, Congress ratified the so-called treaty. In the final ratification, provision was made that all members of the Turtle Mountain band who were unable to secure land upon the reservation could take homesteads upon any vacant land in the public domain without charge and would still retain their rights to tribal funds, annuities, or other property held by the Turtle Mountain group, provided that such right of alternate selection of homesteads should not be alienated.²⁵

But this ratification did not even end the litigation, for on January 19, 1905, the Assistant U. S. Attorney General held that the document signed by the Indians did not give a general release of their claim to the lands in North Dakota; and that ratification could not be complete until such release was obtained. Word was sent to the agreeable Indians, who called a meeting on February 15, 1905, and executed the necessary release. Little Shell and his followers refused to sign.

Now that the final legal entanglements seemed cleared, it appeared that some kind of settlement could be effected. But again, such was not the case. Once more the spectre of the rolls confronted the Indian agents. One agent, Charles L. Davis, writing his report to the U. S. Indian Commissioner for the year 1906, mentioned the trouble by saying that he was attempting to follow the report of the 1892 Commission and that he was adding only those names who had been born to families listed on the original report. He also mentioned that he tried to eliminate such members who "seemed to have discontinued or forfeited their tribal rights by long abandonment."²⁶ Francis E. Leupp, Commissioner of Indian Affairs, listed the criteria in his report for 1906 by which Indians should be judged, and singled out, as well, those to whom no grants could be given. Those individuals, then, who should be excluded—aside from death—were to include:²⁷

1. Applicants coming from Canada after the date of the McCumber treaty.
2. Persons receiving land script or other benefits as Canadian Indians.



"Ward" Indians from the beginning drew rations of a sort—but not the Metis.

3. Applicants not living on the nine-million acre tract at the time of the McCumber treaty unless they can show they were born and raised there and were absent temporarily.
4. Those who may have been living on that tract at the time of the McCumber treaty and who have since permanently removed therefrom are debarred.

How, the Metis wondered, as they heard of the last provision, could they have existed during those fourteen years that had elapsed between the time of the McCumber treaty and its final execution?

One of the provisions of the treaty was that Indians unable to secure land on the reservation could file for homesteads on the public domain. During the year 1906, a total of 549 members of the Turtle Mountain band filed on public land. The land office at Devil's Lake, North Dakota, recorded 10 such filings; the one at Minot, 390; the one at Great Falls, 142, and the one at Lewistown, 7. But, in his report for the following year, 1907, Commissioner Leupp stated that there were at least 1,370 Indians for whom no provision had been made and that these included principally the wives and children of the reservation allottees. "If these Indians are to secure lands it must be from the public domain in North Dakota and Montana," he wrote. "But protests have been made against their taking so much of the public domain in these states, because the lands will remain untaxable as long as they are held in trust by the government."²⁸

²⁵ 33 Stat. L. 58th Congress, 2d Session, Chapter 1402, 1904, 194.

²⁶ Report of the Commissioner of Indian Affairs for 1906, 281.

²⁷ Ibid., 154-155.

²⁸ Report of the Commissioner of Indian Affairs for 1907, 60-63.



At the site of sad Hill 57, Dionne Lafromboise sits and waits for a better fate for he and his people of Metis blood.

So the government concluded its responsibilities toward the Pembina band of Chippewa—full bloods and Metis. What happened, then, to the Metis who straggled back to Montana?

The wild game was largely gone; their cabins burned; barbed wire greeted them at every turn, for their timing coincided with the homestead boom that had struck the high plains that once had been their home. A few, like Joseph Dussome, tried to homestead but encountered difficulties—were they or were they not Turtle Mountain Indians and hence qualified to take land on the public domain without payment of fees? Some of them intermarried with enrolled Indians on established reservations where their children at least would have the benefits accorded to them by the government. But most of them were forced to sink deeper and deeper on the social scale. Always confronted by the stigma of being Canadian Cree, these early pioneers of Montana—these Azures, LaPierres, Collins, LaFrambois, Poitras, and all the rest—sought work where they could find it. Many of them congregated on a hill near the fast-growing city of

Great Falls—later to be called Hill 57—while others went to the areas they knew and loved the best—Choteau, Augusta, Dupuyer, and the Milk River towns of Havre, Chinook, Malta, and Glasgow.

And here their descendants live today, scorned by both the white and the enrolled-Indian populations. All the assistance their forebears gave to the fur traders and to the early stockmen is forgotten. All of their struggle to receive recognition as American citizens after their exclusion from the rolls at the time of the McCumber treaty is unknown. All that is remembered is the erroneous impression that they are Canadian Cree and therefore displaced persons, landless and unwanted.

* * *

Joseph Dussome still sits in his cabin with his good wife and goes over his papers. He remembers the things that have happened to him—the false hope that has so often been engendered. He remembers the first organization that he effected, "The Abandoned Band of Chippewa Indians," in 1927, which seven years later he had incorporated under the name of "The Landless Indians of Montana." Without rancor, he recalls seeing a group of younger and more aggressive men split from his organization to incorporate one of their own, "The Montana Landless Indians."

He particularly remembers the hope of the 1930 depression years, for then the government promised to buy 37,000 acres of land lying near Box Elder for the Landless Indians of Montana. The government fulfilled its contract, but the jurisdiction of the land was placed under Rocky Boy's agency, with the Cree inhabitants of that reservation making the decision as to who should be adopted. As he views the adoption, the Canadian Cree—those who came to Montana after the Riel Rebellion—were the adoptees, so another dream vanished. The American Metis still wandered.

Dussome recalls, too, the purchase by the government of a forty-acre tract of land near Great Falls in the 1930's. Here was to be a chance for the Indians of Hill 57, the landless ones from the Turtle

The descendants of a great early Metis leader, Gabriel Azure carry on the Red River jig tradition. Here in a Zortman saloon, Peter, Grandson of old Gabriel, plays the fiddle while his Nephew Bert Azure strums the mandolin.



Mountains, to live in less squalid conditions and to have subsistence garden plots. Too vivid in Dussome's memory is the opposition from Great Falls' residents to the occupancy of the site by the Indians, so the opportunity passed.

And then there was the government Resettlement Plan that was almost accomplished, early in the 1940's. In Phillips county, where the Farm Security Administration did remarkable things for white farmers, the plan developed whereby all of the Ben Phillips' pioneer land holdings were to be purchased by the government for the Landless Indians. On this land, experienced Indian farmers would have separate units; inexperienced ones would work cooperatively. But the war came, and the idea became a forgotten one.

But hope, even now, is not entirely dead. Joe Dussome still believes that the federal government will eventually provide a rehabilitation program for his people; that the Indian claim to the hunting rights of the Turtle Mountain area will some day be recognized as being as significant as those cultivated rights of the white man; that eventually right will triumph and some of the inequities of the past will be rectified.

The trucks from the mines roar by his cabin by day. At night wind blows down from the little canyon past his door. Joseph Dussome sits in his cabin at Zortman and waits, perhaps for a day that never comes.



The cruel aftermath of so many years of mishandling the Metis problem, manifests itself in a shocking manner at Hill 57 at Great Falls, as evidenced by these two photographs.





Within a half decade after discovery of Gold on Grasshopper Creek, where Con Kohrs started as a butcher boy, he was the leading meat processor and retailer in Montana Territory. Almost every gold camp in the region was served by his markets, such as this one in Highland City.

From Butcher Boy to Beef King

The gold camp days of Conrad Kohrs

By Larry Gill

Only a young man in his prime, a big long-tendonned, hard-muscled man, could be walking up the steep "Hump" as effortlessly as did the one who seemingly sauntered beside the wagon train. Brake chocks swung from side to side, reaches groaned and broad-tired wheels slammed, first to the bottom of chuck holes and then slowly strained out and on. Up above, hoops

squealed while canvas slapped listlessly in the light breeze. Horse hoofs slapped a pad of dust beneath each impact as they dug in for footing on the heavy grade. When the lead driver called a halt for winding, only the big man continued his even strides on up the hill.

The author, a native Montanan, has been working on a Kohrs book for several years. He has made extensive use of the autobiography written about 1913, but never published. Larry Gill, for the past decade, has been Livestock Editor and Advertising Director of *Montana Farmer-Stockman*, Great Falls. He has written innumerable stories and articles of present day livestock and historical features, such as a biographical sketch of A. B. Cook, and "They Followed the Longhorns," a story of Herefords in Montana. He originated the popular "Yarns of Yesteryear" series for *Montana Farmer-Stockman*. This, from the opening chapter of his forthcoming book, deals largely with Kohrs' early years in Montana.

His heavy black boots, worn, scuffed and run down at the heels, moved over into the left-hand track of the ruts which formed the trail. Tucked into their nearly knee-high leather were faded, mud-caked black pants held up with an old and well scarred leather belt. His blue shirt was dirt and sweat streaked. A beat-down black slouch hat offered some shade from the strong August, 1862, sun rays slanting over the mountain tops to the west. It shaded a long, strong-featured face well

MONTANA the magazine of western history



After the feverish days of raw placer gold, the Territory's open-range beef proved an even-greater bonanza. Kohrs, starting with purchase of Johnny Grant's first Montana cattle ranch, had expanded his holdings to a vast cattle empire. C-K beef were seen on every railroad siding from Deer Lodge to the Chicago stockyards. The butcher boy was now one of the great Cattle Kings.

marked by the sun and the wind, covered now by the soft brown of a dust covered beard. Sharp, questioning grey-blue eyes glanced occasionally toward the hill top, to both sides of the trail, yet subconsciously found the firmest footholds for the black boots on the trail. Here was a man, six three in his stocking feet, with long torso, long arms, slim, long-fingered strong hands and extra-wide shoulders set on a powerful body that showed strength in every line.

The summit came at last and the tall man's swinging gait carried him to the side of the trail, across the curve of land on the hill top, finally stopping at the break on the far side.

Before him stretched a mountain-margined valley extending 40 miles or more, as far as the haze would let him see into the northern distance. The valley appeared to be at least 10 miles wide, nearly level in the middle, first sloping gradually, then quickly to tree-covered foothills. Grass, as high as the tops of his great black boots, covered the valley floor and waved before the clean mountain breeze.

Was this the land for which he had sailed, ridden, walked half way round the world to find? Was this why he had left

In addition to Charles M. Russell, the artist, who was in the initial handful of famous westerners selected for the National Cowboy Hall of Fame, soon to be permanently enshrined in a new museum being built at Oklahoma City, Montana recently was honored with two more: Nelson Story and Conrad Kohrs. Both were giants in the building of a new region and in the history of livestock in the West. In a later issue we will tell a bit of the remarkable story of Nelson Story, the cowman who, almost a decade before any others, trailed Texas longhorns north to Montana Territory.

home at 15 to sail before the mast? Why he had been a butcher boy in New York City, a grocery store clerk in Davenport, Iowa, a lumberman in Wisconsin, a sausage salesman in New Orleans? Why he had tramped rocky canyons of northern California in search of gold; why he had walked beside a wagon these past thousand miles, forded cold mountain rivers, kept on and on without proper clothing, bedding or food, completely broke now and for weeks past? Was this land his destiny's magnet; this the valley of his subconscious dreams?

Conrad Kohrs raised his hands to his hips, looked long at the valley before him.

It was the valley of the Deer Lodge, the lush grass plot he had heard discussed around a camp fire in weeks past. Such

land in this rugged country could truly become a man's home. Kohr made no vows, but the grey-blue eyes softened, the thin lips pursed, the slender index fingers tapped absent-mindedly against his belt, at the thought.

A month or more later, now September of 1862, found Con and several men of the wagon party on Pike's Creek, a tributary of Gold Creek, where Gold was first mined extensively in Montana Territory. They were north of the valley. Here with sluice boxes and long-toms, miners for several years had been searching for the yellow gleam in the bottom of their pans or riffles. Over on the main creek Reese Anderson, Bud McAdow, Sternly Blake and the Stuart brothers, James and Granville, had been the first to actively work the diggings. Just above Con's group now, Sam Hauser, W. B. Dance, and their party, lately arrived from St. Louis via the Missouri and Fort Benton, worked near a little spring coming down the right hand side of Pioneer Gulch.

But there were always greener pastures over the hill, and like the irrepressible fog rolling in over the Presidio in San Francisco Bay, word came of new diggings: "the big strike on Grasshopper," 120 miles to the southward. The word was vague, uncertain as to location, garbled as to extent; but prospects had been slow at Pioneer and the gold, when found, was generally under a difficult overburden. The trek toward the Grasshopper, via Deer Lodge, started then.

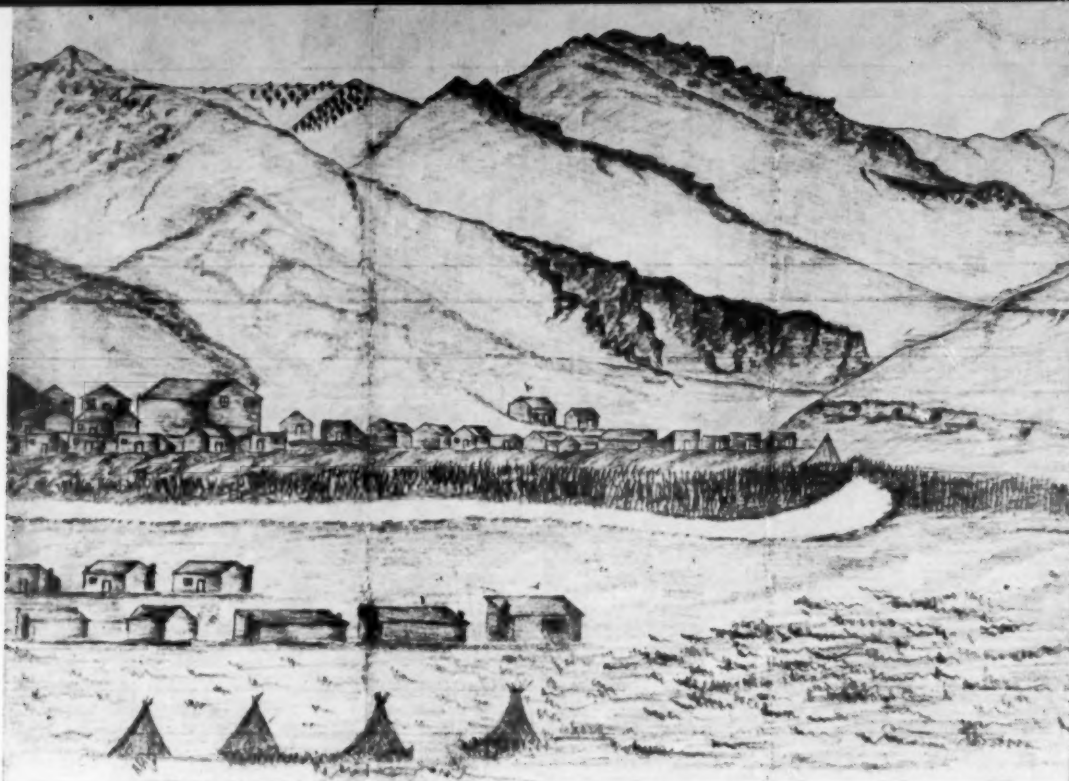
About half way between Gold Creek and Deer Lodge, Con Kohrs first met Henry Crawford, fresh from the new Grasshopper diggings camp of Bannack. After giving what little information he had of the strike, Crawford asked if there was a butcher in the crowd. There wasn't much of a crowd left by this time, for as soon as the news was given most of the group started on up the trail. But Con's two years in the California gold fields had taught him respect for making a more certain living in other ways than with a gold pan. With a bit of experience in his brother's Davenport, Iowa, packing plant besides his stint in New York City, he could honestly answer that he was a

butcher. Crawford hired him on the spot. The pay would be \$25 per month with board, provided Con furnished his own tools.

Tools were another matter. Kohrs had nothing but a skinning knife and a steel. But Lee Maxwell had a scale, which he borrowed. Then came a meat saw (actually nothing more than a broad carpenter's saw), and a bowie knife ground down, to serve as a steak knife, acquired from a man named Bender. Con was now a butcher with all the tools of the trade!

Meanwhile Crawford headed on down river on his way to Frank Worden's store, at that time at Gold Creek Crossing on the road to old Hell Gate. Con had orders to go on to Tom Lavattas at Cottonwood (later Deer Lodge) and wait for Crawford's return. The latter had purchased three fat heifers from Lavatta which he intended to drive to Bannack. But on his return from Worden's, Crawford's horses were loaded with mining tools; so he told Con to drive the heifers on foot. His few blankets, additional clothing and tools were loaded in a wagon headed in the general direction of Bannack, and with a sack of pemmican slung from a cord around his neck, Con and the heifers took off up the Deer Lodge Valley. The heifers were in the lead, quite some distance in the lead at times, at others they made sweeping end runs that came near being successful. On an off tackle play between Dempsey and Race Track Creeks they became mixed with Dempsey's cattle.

The game now became interesting. The more Kohrs chased, the wilder the heifers became. If he could have caught them then he would, no doubt, have been inclined to set up his new butcher shop right there. Finally, in desperation, he went back to the wagon road, waiting for help. Before long a Dr. Glick came along on horseback and after listening to the story of the winded, horseless cowboy he took off after the three TL-brand heifers. It required a long chase, even on a good horse. But finally they were separated from Dempsey's RD brand, put back on the road and headed up country. Dr. Glick stayed with Con and helped him through the crossing of the Deer Lodge. Here he



This placid early drawing of historic Bannack, reveals little of the hectic, turbulent blood-fever for gold that raged in the camp on Grasshopper Creek where Kohrs started his career as a butcher boy.

was on his own again, near dark, a hundred miles still to go and with the heifers as determined as ever to return to their old stomping grounds. Gnawing on a chunk of his dried buffalo meat and crushed berry pemmican he kept them moving on over the hump, and now down the long grade he had so recently walked up alongside the wagon train. Two days later he was in Bannack, far in advance of Crawford with his horses and pack train.

On the latter's arrival, he and Con secured a meat block, and a tripod for a scaffold. Then they fixed up a shanty with a brush roof and drove in one of the heifers, which had been grazing on the flat just out of town. The animal was shot and dressed out. She weighed about 700 pounds and was in excellent condition, even after the 40-mile-a-day trek of a few days earlier.

Crawford wanted to know where Con's butchering tools were, but Con told him he had all he needed. Thereupon Crawford asked if he could take care of the books. Con figured he was up on a day

book and single entry system; so before the words were fairly out of his mouth he found himself not only butcher, but salesman, book-keeper and manager; with Crawford taking off again for Cottonwood to buy another drove of cattle.

Hank Crawford was fond of the cup that cheers, and he enjoyed, too, a table with blanket covering and cards, better than a tablecloth and plates. Kohrs soon learned that he would be gone for some time and his butcher-shop would run out of inventory. So Crawford's new man-of-all-work went out and purchased a few oxen just in from across the plains, as well as several moose, killed on the Upper Grasshopper. When the boss did get back he liked the work of his new employee so well that he promptly raised his pay 300%, to \$100 per month. It looked like Grasshopper diggings were going to amount to something. Con thought so, too, and filed on a town lot "for building purposes."¹ The camp was progressing rapidly. Stores were starting all up and down the gulch, tent saloons were being replaced by lumber

structures; and as the chill of fall nights seeped in, this work was accelerated. Goods of all kinds were coming in. A miner could now buy whiskey, lead or calico; more whiskey, tobacco or salt pork. Beef sold at 15 cents a pound for boiling cuts, 20 cents for chuck and round, and 25 cents for the loin cuts. All of the meat possible was cut into steaks, miners having little time for boiling or roasting. After 12-15 hours on a gravel bar, miners stopped at the butcher shanty on the way to their own, bought enough meat to last for a day or two, or as long as they thought the weather would let it keep from spoiling. Most of them said "charge it," and the day book would contain 20 or 30 names under each day's heading.² The ledger speedily began to fill up and soon an assistant was added to the payroll. Con himself was sent to Cottonwood for cattle in late November or early December, 1862.

In the Deer Lodge Valley, as early as the 1850's there had been herds of fat cattle belonging to the first mountaineers who lived there. These included stock owned by Dave Courtway, Bob Dempsey, Louis DeMar and Leon Cannell, Fred Burr, Thomas Lavatta and, the largest herd owner of them all, old fur-trader Johnny Grant.

On trips such as these, Con carried a sack of hardtack and beef slung from a thong over his saddle horn. A rope, a blanket and heavy coat, and a pistol completed his traveling accessories. He had to travel light.

His first cattle purchase was from Fred Burr. Con paid him \$75 each for ten cows

with large calves at side. Darned if he didn't get Burr to help deliver them in the bargain.

Camped on the Little Spring, five miles from present Silver Bow, Burr and Kohrs that night found company camped nearby. Unknown to them at the time, these men were soon to be known—and feared—by every miner in the territory; at least by their deeds if not their faces. Their names: Henry Plummer, Jack Gallagher, "Whiskey Bill" Graves and George Cleveland, "road agent" robbers and killers.

In conversation that bleak December evening³, their spokesman hinted that there would be highwaymen on the road by spring; that on some of Con's future trips to Cottonwood some might be pointing a gun at him, the cap of which would look bigger than a haystack. Con listened, and he didn't argue. The following morning the "neighbors" had disappeared. Later Con learned that four miners carrying gold dust, who left the mining country of Florence and Elk City, Idaho Territory, bound for Fort Benton and "the states," were trailed by Plummer and this gang, with the intention of robbery, but they never made contact.

On this trip to Benton, Plummer and Cleveland both became acquainted with Miss Electa O'Brien⁴, a sister of Mrs. J. H. Vail, whose husband managed the Government Farm at Sun River Crossing. Both Cleveland and Plummer made a play for the Irish lassie, but apparently with "three in a crowd" neither could make much headway. Both finally left Sun River, picked up other members of the gang and were on their way into Bannack at the time they met Kohrs and Burr on the trail.

On his return Con found that Crawford had built another shanty butcher shop next door to Goodrich's saloon. Here, only a few days later, Henry Plummer

¹ The private papers of the Kohrs family, in the original old Johnny Grant house at Deer Lodge, contain a slip of paper recording his first legal transaction in Montana:

"C. C. Kohrs claims for building purposes 50 feet front and 150 feet up on the South side of Main Street, opposite to Crawford lot in Bannack City, Oct. 22, 1862.

Recorded Oct. 22, 1862,
Book at Page 38,
T. Hunt, Recorder,
by T. Hollman."

² The Kohrs collection contains the daybook and ledger used by Crawford and Kohrs in Bannack, and later by Kohrs and Ben Peel when they ran a butcher shop, first at Virginia City and later at Summit, seven miles above Virginia City. Henry Plummer was a customer at the Crawford-Kohrs shop in Bannack. He had a charge account, and along with a lot of others, did not pay his bill.

³ *Vigilantes* by Birney Hoffman, states that Plummer arrived in Bannack "about Christmas" time, 1862. This would place his evening meeting with Kohrs and Burr around the 20th of December, or a few days later.

⁴ *Then and Now*, or "36 Years in the Rockies," by Robert Vaughn, gives considerable description of Miss O'Brien and of her subsequent marriage to Plummer at Sun River in June, 1863.

gunned Cleveland into eternity—one shot in the stomach, another above the heart, and for good measure, in the head near the left eye.⁵

During the shooting an innocent by-sitter was being shaved in the barber chair off to one corner of the saloon. The customer stayed put and the barber kept right on with his work. The barber had other customers waiting! Kohrs⁶ carried the stricken road agent into Crawford's shop nearby; and Plummer, victor in another of many gun fights, high-tailed it for his cabin.

Cleveland, in a state of shock, asked Crawford to go to Plummer's shack to get his blankets, he and Plummer having been roommates before the final argument. While at this chore, Crawford was closely questioned by Plummer as to what Cleveland had said. Crawford was apparently truthful in saying that Cleveland had told him nothing. Regardless of his answer, Crawford thereafter was a marked man, for Plummer felt that the man he had shot, his erstwhile partner in crime, had given Crawford information about their road-agent gang. Crawford further incurred their wrath by accepting the Sheriff's badge. This came while Bill Moore and Charley Reeves (other road agents) were on trial for shooting up a friendly Indian camp while on a drunken spree, shortly after the Cleveland-Plummer scrape.

Hardly a day passed that winter without another shooting scrape. Quite often someone got hurt. At Durant's saloon one day, Plummer and Crawford had a row. Plummer threatened to shoot the butcher on sight. Both Con Kohrs and Crawford left the following day for Cottonwood, Crawford to get away from it all, Con to act as bodyguard. Hank was no coward by any stretch of the imagination, but neither was he a fool. He knew that Plummer was one of the fastest men with a



Without a doubt, Johnny Grant was the first major stockman in the vast Northern Rocky region. His Montana herds started to grow after 1850. This is son, J. F., about 1867.

revolver in the mountains. He knew also that Plummer would never face him on other than his own terms; that if Plummer didn't shoot him any one of the gang might ambush him at any time anyhow.

But staying away was no good, so before long Crawford was back in Bannack. Arguments started again. Now both men were openly patrolling the camp, willing and ready to shoot on sight. Near noon one day, while Crawford was getting a cup of coffee at a woman's restaurant behind his shop, Plummer was reported stationed across the street from the butcher shop waiting for a shot. Crawford borrowed Frank Ray's rifle, pulled up and whammed away. The ball entered Plummer's arm near the elbow, plowed down the forearm and lodged near his wrist. He fell like a polled ox; then started cussing like a mule skinner. On learning who his assailant was, Plummer issued an invitation to meet him again in 15 days. Then he let his outlaw friends, who had surrounded him right after the shooting, escort him home.

Crawford knew now that the jig was up. There'd be no stopping a fusilade of bullets the first time he stepped from a

⁵ *Vigilantes of Montana*, by Thomas Dimsdale.

⁶ Conrad Kohrs, in his autobiography, says that he carried Cleveland into the shop. This differs from the Dimsdale and other versions of the affair, Dimsdale saying Crawford was called from his lodging house and that he assisted in carrying Cleveland to either the shop or his lodging. It is not clear which. Hoffman Birney states that Crawford and Harry Phleger were Cleveland's packhorses.

doorway after dark. He took what money was on hand in the butcher shop till, turned the business over to his ex-hired man and left for Fort Benton that same night,⁷ of early spring. (Dimsdale says March 13.) The Missouri River ice broke early and Crawford left Benton by the first Mackinaw. Con Kohrs was now in business for himself.

Con Kohrs had meat customers, goodwill, a shop and tools. But he had neither money nor inventory. To correct this he bought eight yoke of thin, worn-out work oxen, on the cuff, from Dumphy and Bentley and headed them out for Cottonwood. Here he skillfully traded the sad oxen to Louis DeMar and Leon Cannell, on a one to one deal for fat steers. A bit later L. R. Maillet brought in 20 head of fat steers which Kohrs bought with money borrowed from other friends. These he sent to the Grasshopper to be "ranged" until needed. One can imagine Kohr's consternation and that of his creditors, when ranchers reported a few days later, that the "Sheep-eater" Indians had stolen them all.

Now the young German emigrant had a shop with waiting customers; but no money nor inventory and plenty of debts. There just didn't seem anything the friends could do, if they hoped to get their money, than to follow up with more money after "gone" money. With this, Kohrs made another of his many trips to Cottonwood, where he purchased cattle from Johnny Grant.

After luck like that, and with the long trip just over, a man really needed a drink. As Con entered Bunton's saloon in Cottonwood, who should be lined up at the bar but a rough group of men generally regarded as road agents, including those just run out of Bannack for shooting up an Indian camp. In that escapade they killed one white man, wounded another and killed or wounded several Indians.

⁷ Again the Kohrs autobiography differs from Dimsdale and other historians, such as Langford in his *Vigilante Days and Ways*. However, Kohrs was apparently there at the time, which Dimsdale was not; he was an associate of Crawford and was one of the men most concerned with his departure, hence his version used here.

⁸ From Kohrs papers.

Bill Moore stepped up to Con Kohrs as he came through the door, and while the others drew and leveled their revolvers, Moore called Kohrs all the vile names he could lay his tongue to, ending up by spitting in his face. The calm German took it. He had no other choice. But he didn't stay longer than necessary and soon headed for Bannack with his ten head of cattle, three of which were later stolen by Indians or highwaymen.

* * *

"Gold! Gold in Alder Gulch!" Word of a new strike swept through Bannack like a Northwester. Hardly a man in camp didn't start at once, on foot, in wagons and buggies, horse or mule back; any way just to get to the new diggings' and stake out a claim. Kohr's business now was gone for sure, with hundreds of dollars in unpaid meat bills in the ledger and on the day book, he thought. And so he, too, went over to Alder Gulch. It looked good. Speedily he found and took in a partner, Ben Peel by name. The firm became known as Con & Peel. At first they decided to look for mining property, but most of that had already been staked out. Hearing of a strike on Willow Creek they stampeded with others. This turned out to be a farce and Con & Peel returned to find the Alder Gulch claims completely gone. So they set up a meat market near Alder Gulch Creek. They borrowed \$500⁸ from George Gohn, who wanted to stay around the diggings until fall and look over the country but did not want to go into business. The new firm borrowed his money, then used it to hire Gohn and to buy ten head of cattle that Joe Blodgett happened to drive up from Bitterroot Valley at this opportune time.

Heavy travel along the road at the foot of "Virginia's" main street brought clouds of dust sifting into the brush shanty so thick that it was soon decided a move had to be made. This they did, to the town of Summit, seven miles above Virginia City. Here they secured a nice location on Spruce Gulch, with good water and plenty of timber to build another brush shanty. Soon after starting the new shop Con & Peel added a log building large enough for both market and a place to live.



Another pioneer cattle entrepreneur—but never so financially successful as Kohrs—Granville Stuart, did this drawing of Johnny Grant's famed Deer Lodge ranch, later owned by Kohrs.

Beef brought good prices, the mines were going strong, most miners were paying their meat bills every Sunday. And with cattle now coming in from as far away at Utah and Oregon, supplies were fairly adequate. Con, as the purchasing agent, also bought a few hogs during the late summer of 1863, and, later in the fall, another drove in from Salt Lake City. These hogs did well on the offal from the slaughter house and from scraps from the nearby miners' cabins and soon were in fine condition to butcher.

While the partners butchered, cut and delivered meat and waited on customers in the daytime, they were just as busy until late at night and again early in the morning, rendering out every ounce of tallow they could lay their hands, to pour into crude candle molds. Candles, scarce in the country that winter, were sold at \$1.50 per pound!

Much of their meat was delivered to customers, including the individual miners, eating establishments and boarding houses. All scraps, scrapings from the head, upper neck, the liver and other parts were worked up profitably into sausage. Hides then were unsaleable so they were given to miners who generally used them as carpets on the sod floors of their shanties.

As Con & Peel's business prospered, Con began buying beef for other butchers in the small camps around Alder Gulch. He was now on the road much of the time.

It was not uncommon for this hard-worker to ride to Bannack, then to Cottonwood and back to Virginia City, a distance of several hundred miles, as a matter of course every week or so. By now the road agents had become bolder and more numerous. Kohrs grew wary and as crafty as a hunted fox. Often he left Virginia at night, circled everyway other than the true direction he intended to go, camped in thickets and hillsides far from the trail, and paralleled the trails for miles, to evade detection, robbery and probable death. Dozens of unwary travelers were murdered—many right on the trail—by the Plummer gang before the winter of 1863 was over. Most were shot in cold blood and left in their own blood pool; others were thrown in thickets, over cliffs or into the rivers. Eventually the Plummer gang was believed to have killed 102 people.

Con Kohrs was a marked man, not only because of his former association with Crawford and others of the law-abiding elements of the country, but also because he was known to carry relatively large amounts of gold dust in his saddle bags to pay for his beef. George Ives and "Dutch John" Wagoner, it appeared, had special orders to get him, for he narrowly escaped their claws a number of times. One such episode was typical:

With \$5,000 in gold dust in his saddle bags, Kohrs left Virginia City early one morning on his way to Cottonwood to pur-



Another of the famed gold camp butcher shops, near Virginia City, M. T.

chase cattle. He rode first to Benson's ranch (up the river from the present town of Twin Bridges) and had the herder run in horses which were boarded there for him. He picked a long-legged, big chested gelding called Grey Billie, the best horse in his string and one of the fastest in the country. Mounting the grey he rode off in the general direction of where Melrose now stands. Kohrs camped that night on Camp Creek, well back off the trail and in a sheltered spot he knew well. As the first touches of light started to push aside the black of night, Con rolled out of his blankets to find that Grey Billie had pulled his picket pin and wandered off. He hastily rolled his blankets and put them with his saddle and bridle, at a little distance, in a thicket. Then he moved to a different location before eating sardines and crackers for breakfast; not daring to light a fire for fear of being detected. After eating and waiting until full light, he moved out on a hogback to check on the noise of a horse moving up the coulee. He saw "Jim Spencer," a half-breed employed by Fred Burr. Burr, who kept a roadhouse nearby, at that time was building a bridge across the Big Hole River. Spencer, as luck would have it, had Kohrs' horse in his bunch. He was on the lookout for Con, whom he knew owned the horse; and he

had some information to impart, too. Dutch John and George Ives had stayed at the Burr roadhouse the preceding night. Spencer figured they were on Con's trail. Here was bad news; but good news, at least to the extent that Kohrs was aware of what to expect. He also learned that Ives was riding a big bald-faced sorrel and Dutch John a near solid-colored brown.

Con hurried his horse back into saddle, cinched up in practically one movement; in another he was in the stirrups and moving. He stayed in protecting draws as long as possible, but soon had to move out in the open on the long stretch of uphill country over the divide to Moose Creek. He could see—and be seen—he knew, for miles.

Looking back he soon spotted two horsemen moving rapidly along the main trail. Was it imagination that one of the horses had a white blaze on his face? It must have been, for the horsemen were still two or three miles back. He didn't wait to ascertain, but kept a fairly fast pace up on the grade, over the divide and on down to Moose Creek. On the way up toward Divide Creek his followers came over the divide behind him. Kohrs could see now that they were gaining fast.

He raced to Divide Creek and at the first patch of brush along the trail stopped just long enough to throw off his blanket, greatcoat, pistol, belt and the few provisions he had saved for lunch. Then he rode again, on a dead run when possible; always a lope or trot or a running walk. Grey Billie took every hill, washout and stream crossing as fast as he could go. Con Kohrs was an able rider, but he had never before had to push a horse like this. Up hill and down, over the "Hump," down the Deer Lodge, across Hot Springs Creek, Racetrack and Dempsey Creeks, he rode. His horse's hide was now covered with dirt-crusts sweat, the breast foam-flecked and flanks pulled up hard. But Grey Billie's head still stretched forward and his heart kept hoofs pounding the trail, mile after mile. The two riders followed, so close now that it was certain that they rode a blazed-face sorrel and a brown horse.

There have been other speedy 60 mile rides over mountain trails, through rushing streams, coulees and over sagebrush hills, but this ride in the fall of 1863 must rate pretty well on the scoreboard. Kohrs arrived at Johnny Grant's house in Cottonwood, safe from the agents by just 15 minutes, and in plenty of time for lunch. Grey Billie did not fare so well. On arriving, Kohrs had to turn him with Grant's bunch, because there were no barns or corrals and no hay or oats. Before he knew it, Grant's herder ran the bunch down to water and Billie was foundered; a semi-cripple for life.

Con had purchased cattle from Grant many times in the past and most of his purchases on credit. Grant had written, earlier that fall, saying he was going to Fort Benton for provisions and trade goods. This time he asked the beef buyer to send him all the money he could spare. Con had sent all he could scrape together, but he lacked \$1100 of paying up in full. With money in his bags now, he told Grant he wanted to pay off his indebtedness. Grant kept no books. Actually he had no idea what the account was, or what part still remained unpaid. He only assumed that the debt had been paid when

NOTICE!

ALL WHO ARE INDEBTED TO THE FIRM OF
KOHRS & PEEL, ARE REQUESTED TO SETTLE THEIR
ACCOUNTS ON JANUARY 1ST., 1864.

Accounts after that date, must be settled at the end of every week.

Summit City, N. Y.

KOHRS & PEEL

Because the camps boomed and died so quickly, Kohrs business relied on handbill such as this, in order to remain solvent.

he had asked for the money earlier. Now to find an honest man, to get \$1100 and interest on debt that he didn't know still existed, tickled and pleased the old Frontiersman no end. Grant insisted on selling 100 head of cattle, at a price more reasonable than he had ever sold previously. Then he told Con Kohrs to take his own time about paying the balance!

Several months after trying to run down Con Kohrs on the road to Cottonwood, George Ives tried to outrun a posse, mounted, this time, on a spotted bob-tailed horse. Losing this race too, Ives was tried by a miners jury at Nevada City, with Col. W. F. Sanders conducting the prosecution. Ives was judged guilty of the cold blooded murder of Nicholas Tibalt, and hanged the evening of December 21st. Con Kohrs arrived in Nevada that evening, just getting over a severe attack of "cholera-morbus." He took in the hanging party from a distance and went to bed that night with at least some feeling of relief.

Only a few days passed between this lynching and the opening of the newly formed Vigilantes' well-planned and determined drive to rid the country of all road agents. They captured and hung two at Laurin ranch on the Stinking Water, on January 4, 1864. Five more, including Henry Plummer, swung on ropes at Banack on the 10th and 11th of January.

On the evening of January 13th, several hundred miners living in Nevada, Highland, Pine Grove and Summit got word from the Vigilantes to surround Virginia City, while the committee members made



Left. The early Worden & Co. store at Hell Gate Ronde, with Judge Frank Woody standing outside.

a house-to-house and bar-room-to-bar-room search of the town for other road agents. They took in five of the worst offenders without a shot being fired. At least one, Bill Hunter, crept into a mining tunnel and escaped. But later, he too was caught near Three Forks and hung. The five caught in the net either jumped from, or had packing boxes pulled out from under them the following day: George Lane, Frank Parrish, Haze Lyons, Jack Gallagher and Boone Helm. For two hours, so that all could see, they swung slowly, revolving just a little as the strain pulled at the strands of the ropes holding them to the beam above. Then the bodies were cut down, laid out in front of the partially completed building which had served as their gallows and later in the day were buried in Boot Hill cemetery, directly across the draw from the town.

Then, and even more so as the years passed, this was remembered as "a day of few regrets" for Con Kohrs. He stood most of the night previous in the picket line outside town; then watched the executions. In popular stories written in later years, Con Kohrs was said to be a member of the Montana Vigilantes. This now appears to be a figment of some writer's imagination, which others apparently copied. Con Kohrs said he was never a member of the Vigilantes.⁹ Why he was not has never been fully explained, but at least he said not, and his word was always regarded as his bond.

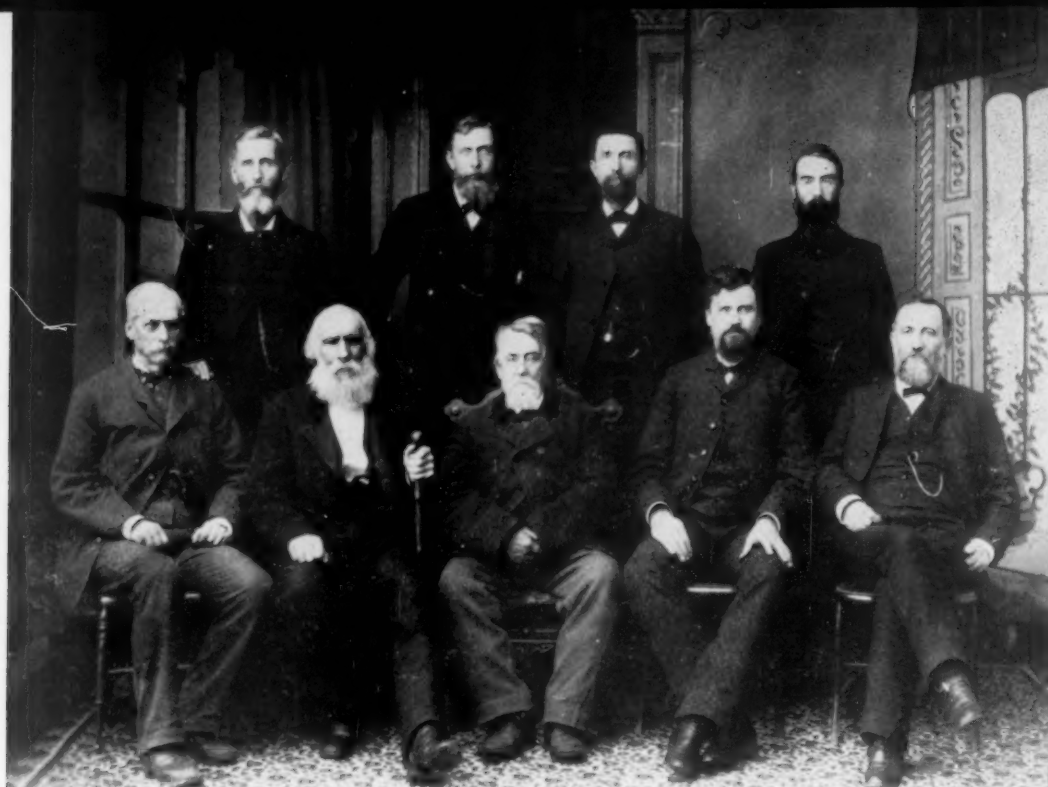
Perhaps this was the reason: on the afternoon of the five hangings Kohrs was notified by the "the committee" to accompany them to Deer Lodge and Hell Gate, in the capacity of guide. Although the canny Dutchman agreed, he later explained that he figured this was an ex-

cellent time to safely carry gold dust to pay off some cattle deals at Deer Lodge. To get the money he had to go back up the hill to the shop at Summit. The committee refused this request, saying there wasn't time. So Con Kohrs went to Nolan & Weary, a private banking house in Virginia City. Here he borrowed \$5,000, promising repayment as soon as his partner could get down from the shop. Interest was agreed upon at 10% per month. But on arriving with the money a few days later, Peel was informed that the bank didn't do business, or at least figure interest, on less than 30 days rate. Therefore the bill came to \$5,500!

Leaving Nevada early the next morning, 20 riders, with Kohrs in the lead, left for Hell Gate, going as far as Big Hole the first day. Here the Vigilantes split, Con leading one group up toward the George Rough ranch where it was expected Steve Marshland, of Plummer's fast dwindling gang, was hiding out. They found Marshland, promptly hung him, and the following day joined the main group.

Road agents, with the tables now turned, scattered like quail. They fled for Deer Lodge, the Gallatin Valley, for Hell Gate, Frenchtown and Fort Owen. But the weather was miserably cold and snow lay deep on the ground. Most mountain passes were impassable and would remain so until warmer weather melted the snow, now 10 to 20 feet deep at the top of the divides and choking the draws in even greater depths. The road agents were cornered. Those who escaped the first hangings went as far and as fast as they could. Now with every desperado on the run, almost every "honest" rancher, tavern owner or roadhouse operator was of help to the Vigilantes. Heretofore the undisputed power and complete vindictiveness of the road agents had sealed most lips. But

⁹ From Kohrs papers and the statement of Conrad Warren, his grandson.



After some of the early blood-and-thunder years had passed, this group of "Pioneers of 1857-62" met for this photo. Back row: Granville Stuart, Con Kohrs, J. A. Brown, Matt Carroll. Front: Chas. Rumley, James Fergus, W. W. DeLacy, Homer Hewins and S. T. Hauser.

with an end in sight, many voices added useful bits of intelligence as to where the quail had fluttered.

The Vigilantes swung over to Deer Lodge and hung Bill Bunton. Then they changed horses at Johnny Grant's and headed again for Hell Gate. The cold continued, bitter, grueling, bone-chilling cold. Snow lay two to three feet deep all the way down from Deer Lodge to near where Missoula now stands. The weather slowed them up, but it didn't deter them. They paused long enough to capture and hang two more "agents" at Hell Gate; sent out scouting parties who captured and executed another pair, one at Frenchtown, another near Fort Owen. They finished up with two more road agents at the end of ropes, again at Hell Gate.

On the return trip Con Kohrs left the Vigilance party at Deer Lodge, bought some more cattle, and returned to Alder Gulch. His work was never done. The butcher business and the wholesale meat business continued to pick up materially.

In the early spring of 1864 Conrad Kohrs went to Fort Benton to interview

officials of the American Fur Company, reported as having a herd of mixed cattle near the Sun River for sale. He stopped at Deer Lodge long enough to change horses and rest the night, then went over Mullan Pass, out along Prickly Pear, down Wolf Creek and over the Dearborn and the Sun River to Benton. His disappointment, on reaching Benton and finding the cattle had been sold a few days before to a Bill Cramer or "Buffalo Bill" as he was called, can well be imagined.

Undaunted, Kohrs purchased another horse and started right back to Deer Lodge. He made the trip of 480 miles, in late March with snow still on the ground, in six days. The next day he was up and going again. He bought another horse from Johnny Grant, "Woodtick" by name, and considered one of the best long distance horses in the country since Grey Billie went out of service. Mounting Woodtick he rode 80 miles down the river to Hell Gate to spend the night with Captain Higgins. The next day found him well up on the Bitterroot range, where he finally was able to buy a lot of prime, fat steers

*C. Kohrs claim for Building
 750 ft front and 100 ft
 deep on the south side of Main that
 adjacent to Crawford lot in Denver
 City Oct 22 1862*

Crudely handwritten, this is the record of Kohrs' first property acquisition in Montana territory—his land at Bannack.

and dry cows from a rancher by the name of Lumprey and some of his half-breed neighbors.

In the months ahead business continued to increase. Kohrs was purchasing and reselling, both at wholesale and retail, a good share of all the butcher cattle being moved in Montana Territory. He bought the first band of sheep, numbering around 400, to come into the territory from Utah. They were large animals, with coarse wool, and dressed out around 100 pounds yet cost about \$12 per head. Con & Peel made little money on these, as there was slight taste for mutton. Nor could the pelts be sold. So they gave them to miners who used them for mattresses.

But the summer of 1864, on the whole, was the most prosperous Kohrs had ever known. Immigrants flocked in from the East, by the overland route, most of these up over the divide from Salt Lake, or up the Missouri by boat to Fort Benton and overland from that point. Many had ox teams. They brought in merchandise which they sold. Most of them sold their work cattle to Kohrs, who boarded them out until they fattened up. Con & Peel bought about 400 head of work cattle that summer, paying an average of \$40 a round.

The fall of 1864 saw even more activity. Rich Last Chance Gulch at Helena had been discovered; also the placer mines of Silver Creek and the Blackfoot diggings in Ophir Gulch. Snow filtered in on the mountain passes early that fall, and many of the wagon trains of provisions and tools on the route from Salt Lake were snow-bound. Those provisions left in town fell into the hands of speculators and opportunists who kept raising prices as goods

became scarcer. Flour went up to \$1.50 per pound, salt went even higher, tobacco went to \$25 per pound and most other products sold at fantastic prices of like nature. Butcher shops, largely through Kohr's influence, held their prices. Con & Peel had a corner on the market. They figured that if beef prices were low they would do more business. And so the miners of Virginia City ate plenty of beef that winter. They called it a "beef straight" winter. Con & Peel had started that fall by purchasing 1,000 head of cattle with \$12,000 borrowed from George Forbes at 5% per month, and used for down payment money. It was tough keeping the creditors at bay.

In the spring they built two new retail shops in Last Chance Gulch and sold out their shop at Summit. Wholesale demands had increased. They now supplied every butcher in the territory, with the exception of Bannack. Joseph Peel and Con's half brother, John Bielenburg, had charge of the two Helena shops. Ben Peel moved to the Deer Lodge Valley to take charge of the Race Track Ranch which they had acquired.

Live cattle now sold, at wholesale, at around \$100 per head; and on this class the Con & Peel partnership made most of their profits. Some retail shops lost money because so many miners jumped up and took off at full speed at every hint of a new strike, leaving their debts behind them. But this was readily offset by wholesaling.

During the summer of 1865 Con Kohrs, perhaps, did more riding than any other white man in the territory. From one end of this great mountain empire to the other he rode; buying, delivering, always searching for more cattle for the hungry maw of thousands of miners. To St. Ignatius Mission; to Hell Gate and up the Bitterroot; up Hell Gate and north to the Fort Benton country; to Deer Lodge, Virginia, Helena, the Bannack country; back and forth, up and down, in rain and wind, on dark nights and hot sultry days, he kept on the move. Kohrs now owned and kept conditioned 12 of the best saddle horses in the country for personal use. He had them spotted along the routes used most often



Last man in the right row is Mr. Kohrs, standing with a group of prominent citizens at his Deer Lodge ranch home, about 1902.

and rode them in relays. Just for sport, the tall blonde had much fun racing the stages on their run between Virginia and Helena, a distance of 120 miles or so. Leaving at the same time as the stage, Con Kohrs would take off down the valley at a steady, mile-clipping gait, moving upward to a fast lope whenever possible. By changing horses twice on the trip, he often entered Helena long in advance of the coaches.

The following summer Con Kohrs' partnership ran adrift, but not for the usual reasons. A love bug chased Ben Peel, and bit him. Peel chased the girl all the way down the Missouri River till he caught her, married and settled down near DeKalb, Missouri. Just before Ben left, Con paid him off for his share of the partnership in the form of a solid gold bar, worth \$17,500. There was more science than foolishness in this play. While the gold brick was not exactly pocket money size, it wasn't purse snatching size either! Aside from that, if the boat sank on its Statesward trip it would be easier to find. Peel got his gold safely to the States and never came back to Montana.

Later, on August 23rd, 1866, Con bought out Johnny Grant, lock, stock and barrel. Kohrs received the land (which had never been surveyed and to which there was no title) and the cattle. His purchase price was \$19,200. \$7,200 of this was on the proverbial Kohrs' cuff. On this fertile land, located less than a mile from the present city of Deer Lodge, the original Johnny Grant house still stands, as do some of the outbuildings.¹⁰

Con Kohrs was a pillar in the region now. He had extensive land, cattle, and a thriving meat business. He had big holdings, too, in mining properties and was, further, entering the field of selling water to miners and farmers through ditches and storage facilities. Dozens of men and not a few families depended on him for their work and their wages.

¹⁰ The house has since been remodeled, many times, and both the inside and outside of the walls are changed. Yet, one still can see the squared timbers of hand-hewn cottonwood, the marks made by the axe in Johnny Grant's hand, up under the attic eaves. This is one of the oldest houses in Montana. Con Kohrs' grandson, Conrad Warren, lives, and ranches on the property to this day.



Con and Augusta
Kohrs as photo-
graphed at Deer
Lodge, 1882.



Such a man needs a wife, he conjectured at this time. And being a man of action, Kohrs promptly set off, in style, in his own thoroughbred wagon with four heads of fancy horses. In the fall of 1867 this conveyed him as far as Virginia City; a stage coach took him to Salt Lake; then a series of trains from there to Davenport, Iowa, where his mother and stepfather lived. Having left Montana early in December, he spent the holidays in Davenport. Then he went in search of one whom he remembered as an outstanding little girl in the old country; and who, his brother said, had since moved to Coventon, Iowa. There Con learned that she had moved to Cincinnati, so he skipped ahead, found attractive, tall Augusta Kruse, introduced himself, and within a few weeks married her at his parents' home in Davenport. Augusta and Con were married February 23, 1868. They boarded a Missouri River boat at Omaha on the long trip to Montana on April 16th, disembarking at Fort Benton, M. T., on June 8th.

This then is a brief preview of the eventful, important life of a German immigrant on the Montana frontier from 1862 to 1868. The full story of Conrad Kohrs must backtrack to the years he

spent in the old country before running away from home at the age of 15 and signing on as a cabin boy of a dirty schooner outward bound for South America. It must tell of tribulations, narrow escapes and the eventual immigration to America in 1854. His wide travels all over the United States in the succeeding years, from New Orleans to the Gold Coast of California, from there to New York and back to the Mississippi, were of moment, too.

And his life story continues on to his later political life in Montana, his economic ups and downs and his family. It includes close personal friendship with Theodore Roosevelt, before, during and after occupancy of the White House. It concerns Con's fight with the all-powerful Anaconda Mining Company, as well as his personal friendship with the Copper King, Marcus Daly and countless others, great and small.

All this leads, inevitably, to the character, endurance and strength of a man who became the acknowledged "King of the Montana Cattlemen"; a man who alone and with partners, owned and managed a tremendous cattle empire stretching for hundreds of miles over the grass-grown prairies of the new Treasure State.



By the 1880's the name "Con Kohrs" and the brand C-K was known and respected in every cowtown in Montana Territory, whether it be White Sulphur Springs, south of the Judith Basin, pictured here; the great "Basin" to the North; Sun River or Deer Lodge to the West, or the Queen of them all, Miles City, far to the East. His cattle were many; his reputation for ability and integrity was a by-word among cowboys and cattlemen.

It would tell of his loss of thousands of cattle, and more than half a million dollars in one terrible winter's storm, of how it broke others in 1886-7, yet made Con Kohrs only pause in his ever-onward stride. It would tell of a brave battle, fought for his own life when doctors told him to go home and settle his affairs; and of the loss of his own son, perhaps his greatest personal tragedy.

Con Kohrs' story must also paint a picture of a magnificent old man, tall, handsome, straight-backed, with a full white beard and a fertile mind. It would amplify strength of character, but most of all a mature, generous philosophy. Con Kohrs lived through the whole vital era which marks the life and death of the great open-range cattle industry. He had much to do with starting that industry. And before he died he had seen its heyday long past. His mammoth herds gone, he also saw hundreds of his former foremen and cowboys either scattered to far lands or to a homestead on some of his former cattle ranges. He witnessed the produce of his and John Bielenberg's purebred herds on the old home ranch at Deer Lodge diffused onto a thousand western farms and ranches. He saw the wild, but productive frontier pass into history and in its place come the basic pattern of today's social and economic pattern. Con Kohrs witnessed the passing of the Old West and he left his mark on a great segment of its history.



Although his home ranch was at Medora, in what is now North Dakota, Theodore Roosevelt's Maltese Cross cattle ranged into the eastern Montana badlands—and he was a vital personality in the early beginnings of the Montana Stockgrowers' Association. It was inevitable that Teddy and Con should meet and admire each other, as this autographed photograph from the Kohr's family collection attests. In 1884, when Granville Stuart and many others were all for hanging every rustler—which too frequently was confused with small cattlemen and homesteaders—Teddy Roosevelt, Marquis deMores and Kohrs helped head off the Miles City cowmen-conventioners who might have created a situation worse than the Johnson County Wars in Wyoming.

Reader's

Remuda



A Roundup of the new western books

Edited by Robert G. Athearn

MARK TWAIN OF THE ENTERPRISE.

Edited by Henry Nash Smith, with the assistance of Frederick Anderson. University of California Press, 1956. 240 pages. \$6.00.

Reviewed by Paul Carter,
University of Colorado.

On May 30, 1864, the following editorial appeared in the Gold Hill (Nevada) *Evening News*: "Among the few immortal names of the departed—that is, those who departed yesterday morning per California stage—we notice that of Mark Twain. We don't wonder. . . . Giving way to the idiosyncratic eccentricities of an erratic mind, Mark has indulged in the game infernal—in short, 'played hell!'"

How Mark Twain earned this journalistic epitaph as a reporter for the Virginia City *Territorial Enterprise* is revealed in the newspaper articles and other documents compiled for this volume by Henry Nash Smith, Literary Editor of the Mark Twain Estate. Sam Clemens joined the staff of the *Enterprise* in September, 1862, after fifteen months of desultory prospecting in Nevada, and he left the paper—and Nevada—in May, 1864. These were important, formative years in his development. He discovered that he was a writer; he

adopted his famous pen name; he found materials for his later books; he experienced something of the discipline of professional journalism and, at the same time, developed the comic sensibility which made possible his later triumphs.

Yet for this significant period of Twain's career there has been until now only fragmentary evidence of his activities. Since no files of the *Enterprise* before 1865 are extant, the only primary sources of information have been twenty items written for the *Enterprise* which were reprinted in other papers, seventeen letters written for papers outside Nevada, and his own confused, and often unreliable, recollections of the period. Hence the value of this carefully edited book, which makes available for the first time some thirty additional letters and dispatches Twain wrote for the *Enterprise*.

His contributions fall into four categories: (1) routine "local" items, enlivened occasionally by Mark's characteristic nonsense; (2) letters sent to his paper from Carson City, San Francisco, etc.; (3) editorials; (4) reports of the sessions of the Territorial Legislature and the Constitutional Convention. His political reporting is much more straight-forward,

sober writing than one expects—or wants—from Mark Twain, but his personal journalism is characteristically humorous. The latter was largely responsible for the controversy which almost led to a duel and which did lead to Mark's abrupt departure from Virginia City. The documents having to do with this affair, here reprinted in a special section, offer long-awaited clarification of the tragi-comedy.

The editor has written headnotes for each article, which explain the circumstances responsible for the piece and the topical allusions in it, and a general introduction, which discusses Twain's attitudes toward journalism, the Civil War, and his experiences in Nevada. The University of California Press has created an attractive and appropriate format for the book by using wood engravings from the first edition of *Roughing It*, decorative type headings from the present office of the *Territorial Enterprise*, and sixteen pages of illustrations. Collectors as well as students will be interested in this handsome and informative addition to the Mark Twain canon and to Western Americana.

* * *

BUCKSKIN AND BLANKET DAYS, by Thomas Henry Tibbles. Doubleday & Company, New York, 336 pages, \$4.50.
Reviewed by Lucius Beebe

It is sometimes difficult at this remove (and in the light of the miserable remnants of whatever grandeurs they may once have possessed, available in the West of today) to understand the respect and friendship for the Plains Indians which were characteristic of many of the pioneers who peopled the Old West of the nineteenth century.

Thomas H. Tibbles, who was at once a scout, frontier newspaper editor, buffalo hunter, preacher and a sort of soldier of fortune in the West of William Cody and George Armstrong Custer, not only liked Indians and admired them (not as a squaw man, but as an initiate in some of their most exclusive mysteries) and was apparently admired and respected in return.

As we have said, at this remove, this is something difficult to understand but must be accepted on the evidence of the

"As my pony slowly ambled along up the creek, there was absolute stillness everywhere. In about half an hour I turned out of the valley and, following the trail along a gulch, came out on the higher, rolling sand hills. Suddenly I heard a single shot from the direction of the troops—then three or four—a few more—and immediately a volley. At once came a general rattle of rifle firing. Then the Hotchkiss guns. I saw curls of smoke rise up through the still air. I could see Indians moving on the hills between me and the camp. What did it all mean?"

"Later I learned that the first volley had come from the troops on the north side of the square, and that its bullets had whizzed across straight through the thin line of Cheyenne scouts opposite. These promptly retired pell-mell eastward, to escape the fire of their own forces. * * * A moment later the Hotchkiss guns, too, opened fire on the little central band of Indians—106 men, all told, and 252 women and children. Every warrior, including Big Foot himself, who was ill in his tent with pneumonia, was killed or seriously wounded. Only 5 men escaped and were brought later to Pine Ridge, but all of these except one little baby and one old grandmother were wounded."

from "Buckskin and Blanket Days."

remarkable reminiscences of a remarkable character written more than half a century ago and only published now as "Buckskin and Blanket Days." While more celebrated characters in the drama of the West such as Buffalo Bill, Kit Carson and Uncle Dick Wootton were busy using the Indians as shooting galleries, Tibbles was pleading their cause in Washington, Boston and Cambridge at the last of which places, as they were calling on Mr. Longfellow, it is interesting to note that "a traffic jam made us late."

That Tibbles' instincts for freedom and justice were not always allied to prudence is illustrated by the circumstance that before he took the Great Plains as his stamping ground, he had been in service with the border ruffians of Missouri and a follower of the murderous psychopath John Brown. After the Civil War he drifted further west and spent a winter as tepee-guest among the Omahas with whom he went on the warpath against the bellicose Sioux.

Among other gifts of civilization brought by Tibbles to the tribes was the waltz, a dance step which so captivated the Omahas that entire lodges danced madly for weeks on end until the elders banned the dance with the familiar castigation that it was "indecent."



To round out his career as friend of the Indians and professional adventurer, Tibbles in 1871 led a posse in pursuit of Jessie James, took up farming, became a gun-fighting minister of the gospel, and, as war correspondent for the *Omaha Herald* during the Indian troubles, was witness to the battle at Wounded Knee, last of the great armed encounters with the United States cavalry.

Tibbles died at the mature age of eighty-eight in 1928 and the manuscript of his memories, completed at the turn of the century, was unpublished until now. Unquestionably it belongs on the shelves of important Americana although there are passages, such as his recollection of being chased by ravenous wolves at the age of five, that may be taken with appropriate salt. He was a man of gusto and great energies, not all of them inspired by contemporary convention.

* * *

THE NORTH AMERICAN DESERTS, by Edmund C. Jaeger. Stanford University Press, 1957. vii, 308 pp. maps, drawings, bibliography, and index. \$5.95.

Reviewed by Robert H. Lister,
University of Colorado

Edmund C. Jaeger, former head of the Department of Zoology, Riverside College, California, presents in this book another study in his field of specialization—desert ecology. Like previous works by Jaeger, this book, although thoroughly scientific, is written in an enjoyable, easily understood manner. It presents to the reader a geological and biological understanding of our North American deserts which extend from central Mexico almost to the southern border of Canada. In many instances historical incidents and

ethnographic sketches of Indian groups are included in descriptions of the areas considered.

Travelers visiting our desert areas will find the volume particularly valuable. In addition to the types of information mentioned above, there are suggestions as to road conditions, places of interest to visit—both off-the-beaten-path spots as well as easily accessible wayside museums, arboretums and National Monuments—and included in the book are numerous photographs and over 350 line drawings of representative reptiles, mammals, birds, insects, and plants which will serve as a handy check list.

All five of the great North American desert areas are considered: the Chihuahuan—named after the Mexican state in which much of it lies; the Sonoran—an extensive area occupying the western half of Sonora, Mexico, south central Arizona, southeastern California, and the upper two-thirds of the peninsula of Baja California; the Mohave—a comparatively small region comprising the tip of southern Nevada and an adjacent area in eastern California; the Great Basin—the largest of all American deserts in northeastern California, southern Idaho, eastern Oregon, southwestern Wyoming, and most of Nevada and Utah; and the Painted Desert—confined to northeastern Arizona, southeastern Utah, and small adjoining areas of New Mexico and Colorado.

* * *

DOCTORS, DYNAMITE AND DOGS, by Edith M. Schussler. The Caxton Printers, Caldwell, Idaho, 1956. 189 pp. Photographs. \$5.00.

Reviewed by Dorothy M. Johnson

The author worked, 1907-1909, with her husband, a physician, in a temporary hospital in the temporary town of Taft, Montana, when the Milwaukee railroad was being built between St. Regis, Montana, and St. Joe, Idaho. There were excitements—the hospital just escaped burning down; the community was endangered by the wrath of Montenegrin laborers when their leader was killed. There was amusement, produced by off-beat characters who worked there and by a white dog who was scared to death of eggs and, when he was exasperated, grabbed his

tail in his teeth and ran in circles. There was death and disaster when dynamite exploded at the wrong times.

The anecdotes are very personal reminiscences about what went on in the little world of the hospital community, which was but a hurried moment in Western history but typical of most of its vast railroad building era.



THE FRONTIER WORLD OF DOC HOLLIDAY, FARO DEALER FROM DALLAS TO DEADWOOD, by Pat Jahns. Hastings House, New York, 306 pages, index, bibliography. \$5.

Reviewed by Lucius Beebe

As is the case with the literary matter of the Civil War, the letters of the Old West have by now reached a stage in our national consciousness and literary output where working the tailings is an industry of vastly greater proportions than the creation of original or classic treatments of a given historic theme. At the very tip-top of the tailing workers come such tip-top-notch practitioners as the late Benny de Voto and the very much alive David Lavender. De Voto achieved fair celebrity, material rewards and Pulitzer Prizes in his lifetime with monumental reworkings of the Lewis & Clark Journals, Parkman, Bancroft and Benton, all the on-the-scene reporters of the world beyond the wide Missouri in the nineteenth century. Lavender is less cosmic in his preview and sticks to Colorado and the standard and a few more *recherche* sources of the record on the Mountain Men, Otto Mears and H. A. W. Tabor. Or is it right to say that Bent's

Fort was "less cosmic?" In its time and place it was all the civilized world. No matter.

At the bottom of the ladder are the Western practitioners who make whiskey money re-writing the established folklore of Alder Gulch and Tombstone for the pulps, so that Bat Masterson, Doc Holliday, Wyatt Earp, Cripple Creek, the Great Diamond Hoax and the train robbery at Verdi turn up in scrupulously ordered rotation in the masculine feuilletons: *Butch*, *Super-Male*, *Whew*, *Nuts* and *Guts* on an annual basis and with stirring art layouts in no way related to the copy they illustrate.

One way or another the Old West has become big business and the reviewer should know: *Si monumentum requiris, circumspice!* At *The Territorial Enterprise* to be precise.

Somewhere in between the literary Caesars and the panhandlers of Western letters come such books as Pat Jahns' *The Frontier World of Doc Holliday* which is tailings working pure and simple but in a sort of upper case and entirely readable manner. Largely, of course, the book reworks the standard Holliday biography which is John Meyer Myers' *Doc Holliday*. But its author contrives to ring a number of entirely legitimate changes on the theme and has gone to trouble to authenticate and justify them in workmanlike manner.



Taking as his pattern such supplementary works as those recreating "the world of Paul Revere" and "the world of Samuel Pepys," Mr. Jahns has come up with some wonderful scenery and costume pieces in the Holliday legend which the more austere Myers left in the sawdust on the floor of the Occidental Saloon in Tombstone.



Witness Jahn's almost lyric description of supposedly hard boiled and self-sufficient Dodge City under the threat of an Indian raid:

"In Dodge the firebell was constantly rung as an alarm, proprietors of gun and hardware stores handed out their guns to arm the population, confused groups of people dashed madly about pursued by barking dogs, a Sante Fe train pulled in loaded with tramps, prospectors, hunters and travellers that it had picked up out in the wilds and carried free as a public service, women were having hysterics and babies were crying. Big Nose Kate made Doc promise to shoot her rather than let her fall into the hands of the red friends, and all in all Dodge more closely resembled a European village in the Middle Ages afflicted with dancing sickness than a town full of us doughty and fearless Americans.

"About two p. m. flames were seen rising above the farmhouse of Harrison Berry four miles west of town. Pale with dread the frantic population of Dodge realized here was proof the red devils were close . . . Next day the Berry family remembered it had left home in such a hurry nobody had thought to extinguish the fire in the cookstove . . ."

Mr. Jahns has a nicely cynical touch in dealing with the matter of the American frontier. Now and then he misses a chance to tie in his theme with the larger picture of the rushing stream of history as when he briefly chronicles the murder of Dora Hand by "one Jim Kennedy" who was subsequently acquitted while folk remarked that "his father was one of the richest men in Texas." It would instruct and pleasure some readers to know that the rich Texan was Mifflin Kenedy (nobody knows where the extra "n" came from) partner of Captain Richard King

in the foundation of the Santa Gertrudis which was to become known as the largest such property in the world under the name of the King Ranch.

All in all this is a book for the already established sophisticate in matters of the frontier and of Doc Holliday. It furnishes a realistic and at time hilarious scenic backdrop for some of the great scenes in the greatest of all American dramas, the story of the Old West in its sixgun times.



CUSTER'S FALL: THE INDIAN SIDE OF THE STORY by *David Humphreys Miller*. Duell, Sloan and Pierce, N. Y., 1957. 271 pp., illustrations and maps by the author. \$4.50.

Reviewed by Roger Pippett

Historians have by no means finished refighting the battle of the Little Big Horn. Yet this book adds a new dimension to the story. Beginning in 1935, Mr. Miller, who is a friend and an adopted son of the Sioux, sought out and succeeded in interviewing some seventy aged Sioux, Cheyenne and Arapaho Indians who actually took part in the battle. His report of these eye witness accounts not only makes exciting reading but further confirms the view of General Custer that is slowly replacing the popular myth. Custer appears in these pages as a boastful incompetent who fully deserved Grant's bitter comment, "I regard Custer's massacre as an unnecessary sacrifice of troops brought on by Custer himself." Mr. Miller describes the disaster in vivid, though occasionally bewildering detail, and recounts many instances of bravery on both sides. Allowance must naturally be made for distortions due to faulty memories—Little Big Horn was fought in 1876, and most of the Indians interviewed were in their 90's—but the narrative has

the authentic ring of truth. It is a fascinating record of Indian war techniques and a notable contribution to the debunking of a national "hero."

[Editor's note: Despite the fact that the public speedily accepted *Custer's Fall* as a provocative book—and it is enjoying wide readership as a Book-of-the-Month Club selection—it has stirred up a behind-the-scenes hornet's nest. Since the subject has always been a magnet to Montanans, we feel we owe it to our readers to call attention to the matter. We do not enter the debate. The two letters which follow, part of the running battle, from the *New York Times Book Review* of Oct. 20, 1957, offer an insight into the fire behind the smoke. After reading the review of his book by Hoffman Birney, Mr. Miller wrote the letter which follows. Mr. Birney replies in the second letter:]

The Author Defends . . .

Hoffman Birney, reviewing my book, "Custer's Fall," writes that it "bristles with statements completely at variance with known facts or accepted theories." I am, of course, well aware of the "accepted theories" about Custer as well as the facts.

Because of the advanced age of the seventy-one Indians I personally interviewed in their native tongues, Mr. Birney infers that their version of history as they saw it in the making should be taken with a grain of salt. For most of these Indians the Battle of Little Big Horn was the most important occasion in their lives. Logically, they would have remembered it long and well.

Certainly there is even some discrepancy with accepted theories and known facts when the reviewer claims: "Custer was buried on the field." While there may have been a temporary burial of Custer's body on the battlefield, Lucius Beebe and Charles Clegg write as follows in "The American West": "The Remains of General George Armstrong Custer were interred at West Point with solemn military state." The event is illustrated by a print of the actual funeral ceremony from the Library of Congress.

As to the reviewer's statement: "Custer's faults were many, but infidelity was not one of them," I refer him to Mari Sandoz' wonderful history, "Cheyenne Autumn," in which Custer's disgraced Cheyenne mistress and half-Cheyenne son are frequently mentioned; or to Charles House's article in the *New York Herald*



Tribune of June 30, 1957—"How the 'Herald' Revealed the Custer 'Massacre'"—which reads in part: "Seldom recalled are his (Custer's) military rashness and disobedience, his two Army courts-martial, his vanity, his cruelty, his affinity to wenching Indian maidens, his discarded Indian son, his incredibly poor scholastic record at West Point where he was graduated only because of a national need for soldiery."

My authority for Custer's reaching the river at the mouth of Medicine Tail Coulee, which Mr. Birney seems to doubt, includes George Bird Grinnell in his "Fighting Cheyennes" and Paul Wellman in "Death on Horseback." Both refer at length to the defense of the ford at the mouth of Medicine Tail by four Cheyennes and one Sioux—an exploit that could never have occurred had not Custer and his foremost troops attempted to cross the river. The testimony given me by Pretty Shield, widow of Crow Scout Goes Ahead, was substantiated by her account as it appears in Frank B. Linderman's "Red Mother"—bearing out Custer's fatal wounding in midstream.

I regret that I am unable to meet Mr. Birney over a roast dog and continue our discussion—in Sioux.

David Humphreys Miller,
Los, Angeles, Calif.

The Reviewer Resists . . .

Mr. Miller has challenged many of the items in my review of his book. He states that I infer that the statements of the Indian informants—all of them more than 80 years old—whom he interviewed should be taken with a grain of salt. That statement is quite correct. Students of the Little Big Horn fight have struggled for nearly eighty years to reconcile the various Indian accounts—and there were

many—of the battle. It represents an impossible task unless one is willing to accept the thesis that *all* of the Indians were telling the truth. Further, ethnologists have learned many years ago not to accept any Indian statement unless it is confirmed by another informant who has not been informed of the first statement.

In my review I stated that "Custer was buried on the field." He was; the author states that "Custer's body was carried, with the wounded soldiers of Reno's and Benteen's commands, by two-horse litters back down-river to the [steamer] *Far West*." Most emphatically, Custer's body was *not* carried to the Far West. He was buried on the field and remained in that grave until July, 1877, when his body was exhumed. Custer was buried at West Point at his wife's request.

Mr. Miller objects to my reluctance to accept the story that Custer, after Washita, had a Cheyenne mistress and that she bore him a son. As sources for this story he cites Mari Sandoz' "Cheyenne Autumn" and a New York Herald Tribune article of June 30, 1957. May I remark that all of the sources for the illegitimate son story are Indians, as Mrs. Sandoz has remarked in a letter to me. The only white source—not mentioned by Mr. Miller—may be found in the Benteen-Goldin correspondence. Capt. Fred Benteen, Seventh Cavalry, was a peculiar character. He was capable of speaking well of no one, from junior officers to commanding generals, and he cherished all his life an abiding hatred of Custer. One may trace to Fred Benteen virtually all of the calumnies which have been printed about Custer. (May I interject that I am not a Custerphile.)

Did Custer's battalion or any considerable portion thereof actually reach the Little Big Horn River? Mr. Miller's Indian informants say that he did and he cites, in addition, Grinnell's "Fighting Cheyennes" and Wellman's "Death on Horseback." I have read carefully the Wellman account and can find nowhere any statement to the effect that any of the troopers reached the river. Quite the contrary. I might refer Mr. Miller to the pro-

ceedings of the Reno Court of Inquiry (1879). Eleven officers and one scout testified that there was no evidence of any fighting having occurred at the ford at the mouth of Medicine Tail Coulee and that the nearest body lay half or three-quarters of a mile away.

Hoffman Birney,
Huntsville, Ala.



BOOKS ON THE REVIEW EDITOR'S DESK . . . fiction, guns, a state history, a classic on sheep . . . and *The Ox-Bow Incident*.

Among the volumes that have recently come to hand is W. R. Burnett's *Bitter Ground*, a piece of fiction most readers will find a notch above the run-of-the-mill western. It's a tale of a notorious southwestern gunslinger (who sounds suspiciously like Doc Holliday), a brave but aging sheriff, his daughter and a silent stranger in town who hankers after the lawman's offspring. The gunslinger, also an accomplished gambler, proposes to take over the town and . . . Any veteran of television westerns could tell you the outcome, shoot-out and all. But it's the way old hand—he has written twenty three books—Burnett tells it that makes the story worth reading. The publisher has done his part by displaying the merchandise in a package that fairly shouts quality. This is worthy of note because a good many western writers are turned into writers of "wild westerns" by garish, shoddy publishing jobs. Here is a book you'll be proud to display on your bookshelf, the kind you will want to loan to appreciative friends.

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Not for hammock reading is John E. Parsons' *Smith & Wesson Revolvers; The Pioneer Single Action Models* (William

Morrow & Company, 1957). While the author had the privilege of exploring the gun company's archives, something that can produce a lot of historical excitement, the result here is disappointing and worth far less than the six dollars asked for it. Not infrequently an overwhelming mass of materials, such as found in these archives, will lure the student of history into the trap of including everything he finds. The book becomes not a useful integrated story at all, but a catalog. For those particularly interested in western history, the appendix—of all things!—will be the most rewarding reading. Complaints about the revolver, praise of it, and recommendations for modification, are found in the correspondence between Colonel G. W. Schofield and gun company officials. Antiquarians and gun collectors will relish this one. Among its other readers may be someone who will be inspired to write a broader account of a well-known and important revolver in the winning of the West.



Worth noting is James McClellan Hamilton's *From Wilderness to Statehood: A History of Montana* (Binfords & Mort, Portland, 1957. \$6.00). More than six hundred pages long, it traces Montana's territorial days in a rather matter-of-fact manner, giving the traditional story without telling much that is new. The manuscript was completed several years before Dean Hamilton's death in 1940, so the work was nearly twenty years old before it came to print. It was professionally edited in 1942, and again in the mid-Fifties, this time by a competent Montana historian, Merrill G. Burlingame. While Professor Burlingame has supplied up-to-date bibliographical material he has not tried to re-write the story, which in this



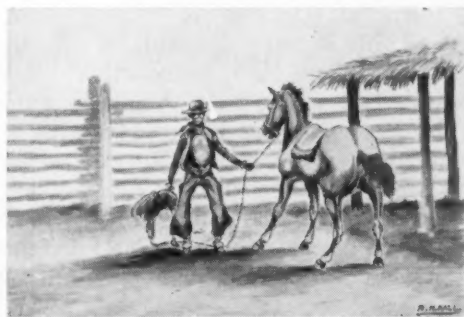
case is too bad. This is no *Montana: High, Wide and Handsome*, with the flair of Joe Howard, but it will stand as another useful reference work for those interested in the growth of a western territory into statehood.

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Welcome back on the market Archer B. Gilfillan's classic *Sheep: Life on the South Dakota Range*, published originally by Little, Brown and Company in 1929; and now reissued by the University of Minnesota Press with a foreword by J. Frank Dobie. Although cowboy and cattle literature now comes forth faster than most readers can absorb it, as Dobie says, there are hardly a dozen worthwhile non-fiction books about the important western sheep industry. When Gilfillan died, in 1955, this significant book had been out of print for almost a decade. Western history readers will be glad to know that they now can have it in their libraries for the very reasonable price of four dollars.

* * *

And we should all rejoice that one of the most provocative western books of our time, Walter Van Tilburg Clark's brilliant *The Ox-Bow Incident* has just been re-issued by New American Library in its Signet edition.





DIRECTOR'S *Roundup*

H. ROSS TOOLE

There would be no nervous breakdowns if the human animal weren't constantly confronted with dilemmas. It is a gray world, not a black and white world. It isn't merely that there are two sides to every question; that would be simple. There are sometimes as many sides to a question as a fly's eye has facets. More about sides in a moment.

* * *

It may seem far-fetched to refer to Sputnik in this magazine, but that baleful instrument seems to be clobbering everything up, including us. On November 13, 1957, President Eisenhower made a speech in Oklahoma City in which great emphasis was placed on the necessity for increasing the number of scientists our schools are producing. It is perfectly obvious that physicists, mathematicians, chemists, etc. are going to be encouraged by various grants-in-aid, that schools are going to stress the physical sciences to an extraordinary extent from now on and that talent and brains in youngsters are going to be increasingly channeled into the physical sciences. It is also obvious that all this is going to result in a further de-emphasis on the humanities. Since Sputnik 1 everyone from the garbage man to the President has been advocating the apotheosis of the scientist, poor abused soul that he presently is. Academically, the liberal arts are going to suffer and steep decline in popularity and in their proportional slice of the educational budget.

Well, Sputnik has done this and it has to be done. In a way I don't envy my son his generation, which is apt to be scientific to the core and illiterate in the bargain. All honor to the slide rule, it is still a stupid instrument in the hands of the half-educated man.

But there is something a little futile about a plea for the wholly educated man in the face of the malevolent moons and what they have wrought. It isn't going to be very popular to advocate the spending of money on any educative process that doesn't produce physical scientists. Professor, get your cotton-picking fingers out of our curriculum and our budget. Who does this Toynbee think he is?

So, all in all, this is a propitious time to announce that starting in September, 1958, the Historical Society of Montana will offer a series of three grants-in-aid amounting to five hundred dollars each for studies bearing on the economic, social and cultural problems of the Great Plains. No one with more than a passing familiarity with physics need apply. Historians, anthropologists and sociologists (vanishing breed though they may be) are urged to apply now.

I know a dilemma when I see one and far be it from me to say that we don't have to beat the Russians both in pure and practical science. It's a hard fact of survival and nothing is going to change it. It's just that I hope that twenty years from now there are at least a few brains permitted to function in other fields as a hedge against the brutalization of all humanity.

We'll let you in on a secret of some substance

(a chance to own an authentic C. M. Russell Bronze)

"The Sled Man," is a Charles M. Russell original sculptured figure which the Historical Society of Montana is presently having cast into bronze. Because "The Sled Man" will be the first **major** bronze in many years to be added to those few major pieces already in existence, and because of the genuinely low price of this bronze, we are taking this opportunity of informing our members of the essential facts concerning it:

- The bronze is being cast from the original wax (which is in superb condition) and no clay, plaster, or other reproductions of any kind exist. Even photographs of this piece are extremely rare.

- Thirty numbered castings will be made and there will be no second casting under any circumstances.

- Major Russell bronzes of equal quality (when they are available at all) are now bringing \$1,000 to \$1,600, which can easily be ascertained from dealer's catalogs or in their galleries. **We are asking \$450 for this bronze. Why so low a price?**

- 1) Because we are a department of the State of Montana as interested in perpetuating authentic Russell works as we are in profit.

- 2) Because, frankly, we are trying to raise money quickly to help defray the costs of a Russell exhibit in the National Gallery of Fine Arts in Washington, D.C. in October and we hope to sell these bronzes quickly. Were time not of the essence, the price would be more than double what we are now asking.

- This bronze is 10 inches high and is utterly faithful to the original wax. It has all of the spontaneity and freedom of technique that Russell exhibited at his best. A photograph of the original wax will be sent you upon your request.

- Each bronze will be accompanied by a certificate of authenticity from the Historical Society of Montana which certificate will include pedigree and history of the work.

In the light of past experience we assure you that these bronzes will be quickly sold. If you are interested, therefore, we suggest that you let us know at once.

One last word: The bronze can not be delivered to you until about mid-May, 1958. It is now in the process of casting. If you wish to be sure of getting one, send us your check now. If, when the bronze arrives, you are in any sense disappointed, you have only to tell us so and your money will be refunded without question or cavil.

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perceptively in the refreshing hospitality
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the Mountain Men; in sparkling summer sunshine
and natural air-conditioning from perpetual
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minute style and comfort . . .



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unique vacation of your life!

